

SEXUAL ASSAULT COMPENDIUM

2018 EDITION

CREATED BY THE NEVADA COALITION TO END
DOMESTIC AND SEXUAL VIOLENCE

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This publication was supported by Grant No. 2017-MU-AX-0015 awarded by the Office on Violence against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in the publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women

OUR VISION

A Nevada in which domestic and sexual violence are eradicated and healthy relationships thrive.

OUR MISSION

To be a statewide voice advocating for the prevention and elimination of domestic and sexual violence through partnering with communities.

PURPOSE OF THE COMPENDIUM

This Compendium was created to provide sexual violence advocates and allies with a quick reference guide to sexual assault laws in Nevada. The statutes are summarized in alphabetical order with the heading hyperlinked to view laws in their entirety. We hope this document is helpful in navigating the sometimes complex laws in Nevada. The Compendium will be updated following each biannual legislative session.

UPDATES FROM THE 2017 LEGISLATIVE SESSION

Updated statutes are *italicized and in blue* and contain a link to the bill. Only the portions of the law that changed during the 2017 session are highlighted. The Legislative Counsel Bureau has not updated the online statutes, so we recommend referring to the bill text for statutory changes. Contact policy@ncedsv.org with any questions.

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ACTIONS OTHER THAN FOR THE RECOVERY OF REAL PROPERTY

NRS 11.215

ACTIONS FOR DAMAGES FOR INJURY ARISING FROM SEXUAL ABUSE OF MINOR; EXCEPTION FOR ACTIONS INVOLVING INJURY ARISING FROM APPEARANCE OF MINOR IN PORNOGRAPHY

Action to recover damages for an injury caused by the sexual abuse of a child must be started within 20 years after the victim reaches 18 or older and discovery of abuse. An action to recover damages pursuant to NRS 41.1396 must also be started within 20 years after wither the court enters a verdict or the victim reaches 18 (which ever comes later). "Sexual abuse" has meaning ascribed to it. (AB 145)

ADVISORY COMMISSION ON THE ADMINISTRATION OF JUSTICE

NRS 176.01246

SUBCOMMITTEE TO REVIEW ARRESTEE DNA; CREATION; CHAIR; MEMBERS; DUTIES; SALARIES AND PER DIEM

Creates the Subcommittee to Review DNA of the Commission; duties of the chair; duties of the subcommittee, per diem allotted to the subcommittee, salary for legislators on the subcommittee, terms defined. (AB 97)

AGED PERSONS, ADDITIONAL PENALTY FOR CRIME AGAINST

NRS 193.167

ADDITIONAL PENALTY: CERTAIN CRIMES COMMITTED AGAINST A PERSON 60 YEARS OF AGE OR OLDER OR AGAINST A VULNERABLE PERSON.

Outlines crimes and additional penalties that apply for committing these crimes against a person 60 years of age or older. Includes the sentencing and fines for committing these crimes and what the court shall consider when imposing the additional penalties. Requires the court to state on the record that this information was considered.

NRS 193.169

ADDITIONAL OR ALTERNATIVE PENALTY; LIMITATION ON IMPOSITION; ALTERNATIVE ALLEGATIONS

Includes the limitations of when additional terms of imprisonment can be applied to an existing sentence. Includes when this limitation applies and when it does not apply.

ARRESTED PERSON TO BE TESTED FOR SEXUALLY TRANSMITTED DISEASES

NRS 441A.320

TESTING OF PERSON ALLEGED TO HAVE COMMITTED SEXUAL OFFENSE; DISCLOSURE OF RESULTS OF TEST; ASSISTANCE TO VICTIM; PAYMENT OF EXPENSES

If the alleged victim or a witness to a crime alleges that the crime involved the sexual penetration of the victim's body, the health authority shall perform certain tests. Indicates when these tests must occur and how they must occur on juveniles. Lists what diseases must be included in the tests and the follow up tests needed. Includes when and how to share this information with the victim and what must be provided to victims of sexual assault.

BATTERY WITH INTENT TO COMMIT

NRS 200.400

DEFINITION; PENALTIES

Defines battery and strangulation. Includes the penalties and sentencing associated with these crimes. Outlines the penalties for battery with intent to kill and battery with the intent to commit sexual assault. Includes punishment requirements for crimes that result in substantial bodily harm or if the victim is a child.

CERTIFICATION OR EVALUATION OF OFFENDERS, REQUIREMENTS

NRS 176A.110

PERSONS CONVICTED OF CERTAIN OFFENSES REQUIRED TO BE CERTIFIED AS NOT REPRESENTING HIGH RISK TO REOFFEND BEFORE COURT SUSPENDS SENTENCE OR GRANTS PROBATION; IMMUNITY

Lists the crimes that require a psychosexual evaluation by a trained professional before the court can suspend, grant probation or grant immunity. Indicates who can perform these evaluations.

NRS 213.1214

EVALUATION OF CERTAIN PRISONERS BY DEPARTMENT OF CORRECTIONS BEFORE PAROLE HEARING; DIRECTOR OF DEPARTMENT TO ESTABLISH PROCEDURE FOR ASSESSMENT OF PRISONERS; IMMUNITY; REGULATIONS

Requires the Department of Corrections to assess each prisoner who has been convicted of a sexual offense to determine the prisoner's risk to reoffend in a sexual manner using a currently accepted standard of assessment. Provides what must be included in this assessment and the timing when it must occur. Ensures all staff performing the evaluation are properly trained. Lists other requirements that the Director must follow. Clarifies that this does not create the right for prisoners to request an evaluation at any time. Requires the Board to review this evaluation before granting parole. Includes the list of sexual offenses included in this statute.

CHILD CONCEIVED AS RESULT OF ASSAULT, RIGHTS OF NATURAL FATHER CONVICTED OF OFFENSE

NRS 125C.210

CHILD CONCEIVED AS RESULT OF SEXUAL ASSAULT: RIGHTS OF NATURAL FATHER CONVICTED OF SEXUAL ASSAULT; RIGHTS WHEN FATHER IS SPOUSE OF VICTIM; REBUTTABLE PRESUMPTION UPON DIVORCE

If a child is conceived as the result of a sexual assault and the person convicted of the sexual assault is the natural father of the child, the person has no right to custody of or visitation with the child unless the natural mother or legal guardian consents and it is in the best interest of the child. This does not apply if the person convicted is the spouse of the victim at the time of the assault. Discusses the procedure if the couple later divorces.

CIRCUMSTANCES CONSTITUTING SEXUAL ASSAULT

NRS 200.366

SEXUAL ASSAULT: DEFINITION; PENALTIES; EXCLUSIONS

Defines sexual assault. Includes an assault committed against any person or any sexual penetration committed with a child under the age of 14. Lists the sentencing and punishments for sexual assault. Includes provisions if substantial bodily harm was committed and sentencing for crimes committed against children under the age of 16.

COMPENSATION FOR CERTAIN VICTIMS OF CRIMINAL ACTS

NRS 217.035

"CRIME" DEFINED

Crime has meaning ascribed to it. ([AB 122](#))

NRS 217.065

"RESIDENT" DEFINED

Resident has meaning ascribed to it. ([AB 122](#))

NRS 217.070

"VICTIM" DEFINED

Victim has meaning ascribed to it. ([AB 122](#))

NRS 217.102

CIRCUMSTANCES UNDER WHICH RESIDENT INJURED IN ANOTHER STATE MAY APPLY FOR COMPENSATION

Guidelines for a victim of a crime that occurred in a state other than Nevada to apply to the Board for compensation are set. Guidelines for a victim of a crime that occurred in this state, but isn't a resident are set. ([AB 122](#))

NRS 217.220

AWARD OF COMPENSATION PROHIBITED UNDER CERTAIN CIRCUMSTANCES; EXCEPTIONS

Establishes in what circumstances compensation is prohibited to certain victims of crime. ([AB 122](#))

CONSPIRACY TO COMMIT, PENALTY

NRS 199.480

PENALTIES

Lists the penalties and fines for when two or more people conspire to commit a variety of crimes including sexual assault, kidnapping and trafficking.

CONTRACTORS, LICENSEES AND LICENSE APPLICANTS TO MAKE CERTAIN DISCLOSURES

NRS 624.266

DUTY OF APPLICANT OR LICENSEE TO DISCLOSE CERTAIN INFORMATION TO BOARD

Lists the crimes that an applicant for a contractor's license or a licensee must notify the Board in writing if he or she is convicted of, or enters a plea of guilty, guilty but mentally ill or nolo contendere. Includes crimes against children and sexual offenses.

CORONERS

NRS 244.163

COUNTY CORONER: CREATION OF OFFICE BY ORDINANCE; APPOINTMENT, QUALIFICATIONS AND DUTIES; PUNISHMENT FOR OFFENSES

Defines the role of coroner, duties and appointment. Requires the coroner to notify decedent's next of kin who is authorized to order the burial or cremation of the decedent's death. Informs the fines and penalties ascribed to the role for offenses. (AB57)

CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS

NRS CH. 201

Establishes guidelines around an adult (25 years old+) who works for or volunteers an agency which provides services to children. Said person, if they participated in sexual conduct with a person between the ages of 16 and 18 and that person is under their care, custody, control or supervision and it occurs during the perpetrator normal course of performing his or her duties, that person is guilty of a category C felony. The rules do not apply to a person who is an employee, contractor or volunteer and is married to the person under the care, custody, control or supervision of the person. A person guilty of this is required to participate in registration or community notification. Terms are also defined here. (SB 169)

NRS 201.210

OPEN OR GROSS LEWDNESS; PENALTY

Punishment of a person who commits any act of open or gross lewdness. Breastfeeding a child does not constitute an act of open or gross lewdness. (AB 395). A person who commits any act of open or gross lewdness is guilty, for the first offense, of a gross misdemeanor. For subsequent offenses or an offense committed by a person 18 years old or older, the person is guilty of a category D felony. (SB 473)

NRS 201.220

INDECENT OR OBSCENE EXPOSURE; PENALTY

Punishment of a person who makes any open and indecent or obscene exposure of his or her person or the person of another. Breastfeeding a child does not constitute an act of open and indecent or obscene exposure. (AB 395)

NRS 201.540

SEXUAL CONDUCT BETWEEN CERTAIN EMPLOYEES OF SCHOOL OR VOLUNTEERS AT SCHOOL AND PUPIL: PENALTY; EXCEPTION

Anyone who is 21 or older and is or was employed or volunteered in a public or private school in a position of authority, and engages in sexual conduct with a pupil who is 16+, and hasn't received a diploma, GED or an equivalent document where that person worked and had contact with the pupil, is guilty of a category C felony. This does not apply to a person who is married to the pupil, or sexual conduct between two pupils. (SB 169)

NRS 201.550

SEXUAL CONDUCT BETWEEN CERTAIN EMPLOYEES OF COLLEGE OR UNIVERSITY AND STUDENT: PENALTY; EXCEPTION

Anyone who is 21 or older and is employed and in a position of authority by a college or university, and engages in sexual conduct with a pupil who is 16+, and hasn't received a diploma, GED or an equivalent document and is enrolled in or attending the college or university at which the person is employed, is guilty of a category C felony. These positions of authority include a teacher, instructor, or professor, an administrator, or a coach. This does not apply to a person who is married to the student, or sexual conduct between two students. (SB 169)

DANGEROUS WEAPON USED IN COMMISSION OF CRIME, PROBATION OR SUSPENSION OF SENTENCE PROHIBITED

NRS 193.165

ADDITIONAL PENALTY: USE OF DEADLY WEAPON OR TEAR GAS IN COMMISSION OF CRIME; RESTRICTION ON PROBATION

Adds an additional penalty for any person who uses a firearm or other deadly weapon or a weapon containing or capable of emitting tear gas when committing a crime. Includes the factors that a court must consider when making this determination and what the court must document on the record. Provides guidance for how long this additional penalty can be. Lists the crimes where the court shall not grant probation to or suspend the sentence of any person who is convicted of using a firearm, other deadly weapon or tear gas in the commission. Includes kidnapping and sexual assault.

DATE RAPE DRUGS, ADMINISTRATION TO AID IN COMMISSION OF CRIME, PENALTY

NRS 200.408

ADMINISTRATION OF CONTROLLED SUBSTANCE TO AID COMMISSION OF CRIME OF VIOLENCE: PENALTY; DEFINITIONS

Lists the penalties for a person who gives a controlled substance to another person without that person's knowledge and with the intent thereby to enable or assist himself or herself or any other person to commit a crime of violence against that person or the property of that person. Defines controlled substance, crime of violence and without a person's knowledge.

DEFINITIONS

NRS 200.364

DEFINITIONS

Defines offense involving pupil, perpetrator, sex trafficking, sexual offense, sexual penetration, statutory sexual seduction, and victim.

NRS 200.366

SEXUAL ASSAULT: DEFINITION; PENALTIES; EXCLUSIONS

Defines sexual assault. Includes an assault committed against any person or any sexual penetration committed with a child under the age of 14. Lists the sentencing and punishments for sexual assault. Includes provisions if substantial bodily harm was committed and sentencing for crimes committed against children under the age of 16.

Domestic violence (also see NCEDSV's [Domestic Violence Compendium](#))

NRS 33.018

ACTS WHICH CONSTITUTE DOMESTIC VIOLENCE

Defines domestic violence. Includes offenses committed against the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child. Lists the acts that constitute domestic violence including sexual assault.

FORFEITURE OF ASSETS RELATING TO VIOLATIONS

NRS 179.1156

SCOPE

Lists the statutes that govern the seizure, forfeiture and disposition of all property and proceeds subject to forfeiture.

NRS 179.1157

DEFINITIONS

Includes what statutes have the meanings ascribed to them in those sections.

NRS 179.1158

“CLAIMANT” DEFINED

“Claimant” means any person who claims to have any right, title or interest of record in the property or proceeds subject to forfeiture, any community property interest in the property or proceeds; or had possession of the property or proceeds at the time of the seizure thereof by the plaintiff.

NRS 179.1159

“PLAINTIFF” DEFINED

“Plaintiff” means the law enforcement agency which has commenced a proceeding for forfeiture.

NRS 179.1161

“PROCEEDS” DEFINED

“Proceeds” means any property, or that part of an item of property, derived directly or indirectly from the commission or attempted commission of a crime.

NRS 179.1162

“PROPERTY” DEFINED

“Property” includes any real property or interest in real property, fixture or improvement to real property, personal property, whether tangible or intangible, or interest in personal property, conveyance, including any aircraft, vehicle or vessel, money, security or negotiable instrument and proceeds.

NRS 179.1163

“PROTECTED INTEREST” DEFINED

“Protected interest” means the enforceable interest of a claimant in property, which interest is shown not to be subject to forfeiture.

NRS 179.11635

“WILLFUL BLINDNESS” DEFINED

“Willful blindness” means the intentional disregard of objective facts which would lead a reasonable person to conclude that the property was derived from unlawful activity or would be used for an unlawful purpose.

NRS 179.1164

PROPERTY SUBJECT TO SEIZURE AND FORFEITURE; EXCEPTIONS

List the property that is subject to seizure and forfeiture in a proceeding for forfeiture and the process an owner must follow if convicted for there to be an exception.

NRS 179.1165

SEIZURE OF PROPERTY: REQUIREMENT OF PROCESS

Indicated that a property that is subject to forfeiture may only be seized by a law enforcement agency upon process issued by a magistrate having jurisdiction over the property. Lists the situations where a seizure may be made without process including an arrest or search warrant.

NRS 179.1169

TITLE IN PROPERTY; TRANSFER

Lists the situations where all rights, title and interest in property subject to forfeiture vests in the plaintiff. Includes when the property was used in the facilitation or commission of a felony. Discusses the process of transferring a property.

NRS 179.1171

PROCEEDINGS FOR FORFEITURE: RULES OF PRACTICE; COMPLAINT; SERVICE OF SUMMONS AND COMPLAINT; ANSWER; PARTIES

Provides that the Nevada Rules of Civil Procedure are applicable to and constitute the rules of practice in a proceeding for forfeiture pursuant to those sections. Indicates the process for filing a complaint and how filing and service of the complaint must be initiated.

NRS 179.1173

PROCEEDINGS FOR FORFEITURE: PRIORITY OVER OTHER CIVIL MATTERS; ORDER TO STAY; STANDARD OF PROOF; CONVICTION OF CLAIMANT NOT REQUIRED; CONFIDENTIALITY OF INFORMANTS; RETURN OF PROPERTY TO CLAIMANT; FORFEITURE AS PART OF PLEA OR STIPULATED AGREEMENT

The district court shall proceed as soon as practicable to a trial and determination of the matter. A proceeding for forfeiture is entitled to priority over other civil actions which are not otherwise entitled to priority. Indicates the process for a forfeiture during a pending trial and what shall occur if there is an acquittal or dismissal. Provides protections for the plaintiff regarding proving that the claimant has been charged or convicted of any offenses. Also indicates that the plaintiff has an absolute privilege to refuse to disclose the identity of any person, other than a witness, who has furnished to a law enforcement officer information purporting to reveal the commission of a crime.

NRS 179.1175

DISPOSITION OF PROPERTY AFTER SEIZURE AND FORFEITURE

Outlines the process that must be followed after a property is seized or forfeited.

NRS 179.118

DISTRIBUTION OF PROCEEDS FROM FORFEITED PROPERTY

Indicates that the proceeds from any sale or retention of property declared to be forfeited and any interest accrued must be applied, first, to the satisfaction of any protected interest established by a claimant in the proceeding, then to the proper expenses of the proceeding for forfeiture and resulting sale, including the expense of effecting the seizure, the expense of maintaining custody, the expense of advertising and the costs of the suit. Discusses how a balance of funds from the property must be distributed.

NRS 179.1185

ISSUANCE OF CERTIFICATE OF TITLE FOR FORFEITED VEHICLE OR OTHER CONVEYANCE

If a vehicle or other conveyance is forfeited of a kind which is subject to the provisions of title 43 of NRS governing certificates of title, the agency charged by law with responsibility for issuing certificates of title for conveyances of the kind shall issue a certificate of title to the governing body or the agency to whom the title was awarded by the court if the conveyance is retained for official use; or the purchaser if the conveyance is sold by the governing body or the plaintiff.

NRS 179.1187

ESTABLISHMENT OF ACCOUNT FOR PROCEEDS FROM FORFEITED PROPERTY; RESTRICTIONS ON USE OF MONEY IN ACCOUNT; DISTRIBUTION OF CERTAIN AMOUNT TO SCHOOL DISTRICT; DUTIES OF SCHOOL DISTRICT AND CHIEF ADMINISTRATIVE OFFICER OF LAW ENFORCEMENT AGENCY

The governing body controlling each law enforcement agency that receives proceeds from the sale of forfeited property shall establish with the State Treasurer, County Treasurer, City Treasurer or Town Treasurer, as custodian, a special account, known as the "Forfeiture Account." The account is a separate and continuing account and no money in it reverts to the State General Fund or the general fund of the county, city or town at any time. Outlines how the funds can be spent and reported to the Legislative Council Bureau.

NRS 179.119

QUARTERLY REPORTS BY LAW ENFORCEMENT AGENCIES THAT RECEIVE FORFEITED PROPERTY OR RELATED PROCEEDS; INCLUSION OF SUCH ANTICIPATED REVENUE IN BUDGET PROHIBITED

Discusses the quarterly reports that must be filed by law enforcement for proceeds received for forfeited property.

NRS 179.1205

ANNUAL REPORTS BY LAW ENFORCEMENT AGENCIES

On an annual basis, each law enforcement agency shall report information about each individual seizure and forfeiture completed by the law enforcement agency under state forfeiture law. Lists what must be included in this report. The Office of the Attorney General shall develop standard forms, processes and deadlines for the entry of electronic data for the annual submission of the report.

NRS 179.121

FORFEITURE OF PERSONAL PROPERTY AND CONVEYANCES USED IN COMMISSION OF CRIME

All personal property, including, without limitation, any tool, substance, weapon, machine, computer, money or security, which is used as an instrumentality in any of the following crimes is subject to forfeiture. Includes conveyances such as aircrafts, vehicles and vessels. Provides exceptions if the owner was not aware of the crime. Includes provisions if the property is a firearm.

NRS 200.760

FORFEITURE

List the statutes that provide which assets are subject to forfeiture.

FOSTER CARE

NRS 424.250

PROVIDERS PROHIBITED FROM USING PHYSICAL RESTRAINTS; EXCEPTION; FOSTER CARE AGENCY TO NOTIFY AND PROVIDE REPORT TO LICENSING AUTHORITY OF SERIOUS INCIDENT, ACCIDENT, MOTOR VEHICLE CRASH OR INJURY; REPORTS OF POSSIBLE VIOLATIONS; INVESTIGATIONS

Rules and restrictions for physical restraint of a child; guidelines and protocol for any serious incident, accident, motor vehicle crash or injury; establishes what a foster care agency shall report; foster care agencies must fully comply with any investigation. (SB 287)

HABITUAL FELONS, DEFINITION AND PUNISHMENT

NRS 207.012

HABITUAL FELONS: DEFINITION; PUNISHMENT

Provides the definition of how a habitual felon is designated, including that the person must have committed two prior felony crimes before the commission of the current crime. Includes the sentencing requirements for felons who meet this definition and requirements for the counts a district attorney must file. Provides that a trial judge may not dismiss a count under this section that is included in an indictment or information.

HATE CRIMES, CIVIL LIABILITY, ADDITIONAL CRIMINAL PENALTY

NRS 41.690

CAUSE OF ACTION FOR DAMAGES RESULTING FROM CRIMINAL VIOLATION IF PERPETRATOR WAS MOTIVATED BY CERTAIN CHARACTERISTICS OF VICTIM

A person who has suffered injury as the proximate result of the willful violation of a series of crimes (listed in statute) by a perpetrator who was motivated by the injured person's actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression may bring an action for the recovery of his or her actual damages and any punitive damages which the facts may warrant. Includes a reference to the definition of gender identity.

NRS 193.1675

ADDITIONAL PENALTY: COMMISSION OF CRIME BECAUSE OF CERTAIN ACTUAL OR PERCEIVED CHARACTERISTICS OF VICTIM

Indicates that when crimes were committed because the actual or perceived race, color, religion, national origin, physical or mental disability, sexual orientation or gender identity or expression of the victim was different from that characteristic of the perpetrator may face an additional penalty. Includes what that penalty is and what the court must consider when administering the penalty. Requires the court to state on the record that these factors were considered.

NRS 193.169

ADDITIONAL OR ALTERNATIVE PENALTY: LIMITATION ON IMPOSITION; ALTERNATIVE ALLEGATIONS

A person who is sentenced to an additional term of imprisonment for crimes listed in this statute must not be sentenced to an additional term of imprisonment pursuant to any of the other listed sections even if the person's conduct satisfies the requirements for imposing an additional term of imprisonment pursuant to another one or more of those sections. Includes guidance for when the person is sentenced to alternate terms.

INFORMATION TO BE PROVIDED FREE OF COST

NRS 200.3781

PETITIONER FOR ORDER: DEFERMENT OF COSTS AND FEES; FREE INFORMATION CONCERNING ORDER; NO FEE FOR SERVING ORDER

The clerk of the court shall provide a person who petitions the court for a temporary or extended order with information about availability of temporary and extended orders, procedure for filing and application for such orders, and the right to proceed without legal counsel all free of charge. A person who obtains an order must not be charged any fees to have the order served in this state.

INTERCEPTION OF COMMUNICATIONS AUTHORIZED

NRS 179.460

CIRCUMSTANCES IN WHICH INTERCEPTION OF COMMUNICATIONS MAY BE AUTHORIZED; IMMUNITY

Allows the Attorney General or the district attorney of any county to apply to a Supreme Court justice or to a district judge in the county where the interception is to take place for an order authorizing the interception of wire, electronic or oral communications, and the judge may grant an order authorizing the interception. Lists the crimes for where this applies including kidnapping, escape of an offender in the custody of the Department of Corrections, a sexual offense against a child, and sex trafficking. Includes a list of what constitutes a sexual offense against a child.

INVESTIGATION BY DIVISION OF PAROLE AND PROBATION

NRS 176.145

PRESENTENCE INVESTIGATION AND REPORT: CONTENTS REPORT

Explains what the report of any presentence investigation must contain; the Division may include any additional information that may be helpful in imposing a sentence in granting probation or in correctional treatment. (SB 287)

NRS 176.151

GENERAL INVESTIGATION AND REPORT ON DEFENDANT CONVICTED OF CATEGORY E FELONY: WHEN REQUIRED; TIME FOR COMPLETING; CONTENTS OF REPORT

*Guidelines for the Division to make a presentence investigation and report on a defendant.
(SB 287)*

INVESTIGATION OF SUSPECTED CRIMINAL ACTIVITY; DETENTION AND IDENTIFICATION OF SUSPECTS

NRS 171.1223

PEACE OFFICER WITH LIMITED JURISDICTION MUST NOTIFY PRIMARY LAW ENFORCEMENT AGENCY OF COMMISSION OF CERTAIN FELONIES; TRANSFER OF INVESTIGATION TO PRIMARY LAW ENFORCEMENT AGENCY

Establishes the rules and guidelines for peace officers and jurisdiction situations; offers definitions. (SB 287)

JUVENILE COURT: CERTIFICATION OF CHILD FOR CRIMINAL PROCEEDINGS AS ADULT

NRS 62B.390

Certification of child for criminal proceedings as adult. Upon a motion by the district attorney and after a full investigation, the juvenile court shall certify a child for proper criminal proceedings as an adult to any court that would have jurisdiction to try the offense if committed by an adult, if the child is charged with a sexual assault involving the use or threatened use of force or violence against the victim; or an offense or attempted offense involving the use or threatened use of a firearm; and was 16 years of age or older at the time the child allegedly committed the offense. List other circumstances a child can be charged as an adult. Lists the exceptions for this.

JUVENILE COURT: JURISDICTION LIMITED

NRS 62B.330

CHILD ALLEGED OR ADJUDICATED TO HAVE COMMITTED DELINQUENT ACT; ACTS DEEMED NOT TO BE DELINQUENT.

The juvenile court has exclusive original jurisdiction over a child living or found within the county who is alleged or adjudicated to have committed a delinquent act. Lists the crimes that constitute as a delinquent act. Also lists the crimes that are not a delinquent act, such as sexual assault in certain instances outlined in the statute.

JUVENILE COURT: LIMITATIONS ON SEALING RECORDS

NRS 62H.150

LIMITATIONS ON SEALING RECORDS RELATED TO CERTAIN DELINQUENT ACTS.

Outlines the requirements to seal a juvenile's record when the child is adjudicated delinquent for an unlawful act listed in the statute before the child reaches 21 years of age. Exemptions outlined in the statute. After the child reaches 30 years of age, the child may petition the juvenile court for an order sealing those records. Discusses how a petition and hearing is handled if a petition is filed. Applies to sexual assault, battery with intent to commit sexual assault and lewdness with a child.

JUVENILE JUSTICE

NRS 62A.030

CHILD DEFINED

A “child” refers to a person who is less than 18 years old, a person who is less than 21 years old and under the jurisdiction of the juvenile court for an unlawful act that they committed before 18 years old. (AB 395)

NRS 62B.410

TERMINATION AND RETENTION OF JURISDICTION

The court may terminate its jurisdiction or retain jurisdiction if the child is subject to the jurisdiction of the juvenile court. (AB 395)

NRS CH. 62F

JUVENILE SEX OFFENDERS

“Aggravated sexual offense”, “community notification”, “community notification website”, and “sexual offense” are defined. Guidelines for a juvenile who committed a sexual offense as well as the court. “Master” is defined. (AB 395)

NRS 62H.025

CONFIDENTIALITY OF JUVENILE JUSTICE INFORMATION; RELEASE IN CERTAIN INSTANCES; PENALTY FOR UNLAWFUL USE

Juvenile justice information is confidential and may only be released in certain instances. Here the establishment of what can and cannot be released are laid out. This information cannot be used to deny a child access to any service that they would otherwise be eligible for. Also the penalty for disseminating the information is established. (AB 395)

NRS 62H.110

SEALING AND UNSEALING OF RECORDS; APPLICABILITY OF PROVISIONS

The provisions of NRS 62H.100 to 62H.170 do not apply to: information maintained in the standardized system, information that must be collected by the Division of Child and Family Services, records relating to a traffic offense that would have been a misdemeanor if committed by an adult. (AB 395)

JUVENILE OFFENDERS, DETENTION FOR VIOLATIONS, CONDITIONS AND LIMITATIONS ON RELEASE

NRS 62C.020

CONDITIONS AND LIMITATIONS ON RELEASING CHILD WHO IS DETAINED FOR COMMITTING CERTAIN ACTS INVOLVING DOMESTIC VIOLENCE, STALKING, AGGRAVATED STALKING, HARASSMENT OR SEXUAL ASSAULT.

A child must not be released from custody sooner than 12 hours after the child is taken into custody for committing a battery that constitutes domestic violence, unless the peace officer or

probation officer determines the child does not meet the criteria for secure detention. A child must not be released from custody sooner than 12 hours after the child is taken to custody for violating a temporary or extended order for protection against domestic violence, stalking, aggravated stalking, harassment or sexual assault, or if the child brought in for violating a restraining order or injunction unless, the peace officer or probation officer determines that such a violation is accompanied by a direct or indirect threat of harm, the child has previously violated a temporary or extended order, or at the time of violation or two hours after his or her blood or breath has a greater concentration of alcohol of 0.08 or higher or there is an amount of prohibited substances in his or her blood or urine.

KIDNAPPING FOR PURPOSE OF

NRS 200.310 DEGREES

Lists the various acts that constitute kidnapping in the first degree. Includes a person who willfully seizes, confines, inveigles, entices, decoys, abducts, conceals, kidnaps or carries away a person by any means whatsoever for the purpose of committing sexual assault. Lists the offenses that constitute kidnapping.

LIMITATION OF ACTIONS

NRS 171.083

NO LIMITATION FOR SEXUAL ASSAULT OR SEX TRAFFICKING IF WRITTEN REPORT FILED WITH LAW ENFORCEMENT OFFICER DURING PERIOD OF LIMITATION; EFFECT OF DISABILITY ON PERIOD OF LIMITATION

If, at any time during the statute of limitation, a victim of a sexual assault, a person authorized to act on behalf of a victim of a sexual assault, or a victim of sex trafficking or a person authorized to act on behalf of a victim of sex trafficking, files with a law enforcement officer a written report concerning the sexual assault or sex trafficking, the period of limitation is removed and there is no limitation of the time within which a prosecution for the sexual assault or sex trafficking must be commenced. A copy of the report must go to the reporting party. Includes guidance if the victim is under a disability.

NRS 171.085

LIMITATIONS FOR FELONIES

Lists the statute of limitation for felonies. Includes 4 years for victims of sex trafficking and 20 years for sexual assault.

NRS 171.095

LIMITATIONS FOR OFFENSES COMMITTED IN SECRET MANNER, OFFENSES CONSTITUTING SEXUAL ABUSE OR SEX TRAFFICKING OF CHILD AND OFFENSES REGARDING PERSONAL IDENTIFYING INFORMATION

Outlines the statute of limitation of crimes committed in a secret manner. For sexual abuse of a child, an indictment must be found, or an information or complaint filed, before the victim is thirty-six years old if the victim discovers or reasonably should have discovered that he or she was a victim of the sexual abuse or sex trafficking by the date on which the victim reaches that

age; or forty-three years old if the victim does not discover and reasonably should not have discovered that he or she was a victim of the sexual abuse or sex trafficking by the date on which the victim reaches 36 years of age.

LOCAL GOVERNMENT

NRS CH. 244

COUNTIES: GOVERNMENT

The county will designate at least one sheriff's office as a site where two or more people can meet to complete the sale of an item that started online. There cannot be any actions brought against the county, sheriff or an officer or employee. (AB 297)

NRS CH. 268

POWERS AND DUTIES COMMON TO CITIES AND TOWNS INCORPORATED UNDER GENERAL OR SPECIAL LAWS

The county will designate at least one police station as a site where two or more people can meet to complete the sale of an item that started online. There cannot be any actions brought against the county, sheriff or an officer or employee. (AB 297)

NRS CH. 269

UNINCORPORATED TOWNS

The county will designate at least one police station as a site where two or more people can meet to complete the sale of an item that started online. There cannot be any actions brought against the county, sheriff or an officer or employee. (AB 297)

MARRIAGE TO VICTIM NO DEFENSE

NRS 200.373

SEXUAL ASSAULT OF SPOUSE BY SPOUSE

It is no defense to a charge of sexual assault that the perpetrator was, at the time of the assault, married to the victim, if the assault was committed by force or by the threat of force.

MILITARY COURTS WITHOUT JURISDICTION

NRS 412.562

DISORDER AND NEGLECT PREJUDICING GOOD ORDER AND DISCIPLINE; JURISDICTION OF CERTAIN CRIMES RESERVED TO CIVIL COURT

Requires that certain crimes, including assault and sexual assault must be heard in civil courts and not military courts.

MILITARY JUSTICE, CODE OF, PUNITIVE PROVISIONS

NRS 412.5485

SEXUAL ASSAULT AND SEXUAL MISCONDUCT

Any person subject to the military justice code who engages in or causes nonconsensual sexual contact with or by another person, without legal justification or lawful authorization, is guilty of sexual assault or sexual misconduct and shall be punished by way of non-judicial punishment or as a court-martial may direct. Defines nonconsensual and sexual contact.

MURDER IN COMMITTING OFFENSE, FIRST DEGREE

NRS 200.030

DEGREES OF MURDER; PENALTIES

Defines murder in the first degree and includes murder committed in the perpetration or attempted perpetration of sexual assault, kidnapping, sexual abuse of a child, sexual molestation of a child under the age of 14 years, child abuse or abuse of an older person or vulnerable person pursuant. Lists the penalties.

NRS 200.033

CIRCUMSTANCES AGGRAVATING FIRST DEGREE MURDER

Lists the circumstances by which murder of the first degree may be aggravated. Includes when the murder involved torture or the mutilation of the victim, the murder was committed upon a person less than 14 years of age, the murder was committed upon a person because of the actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation of that person and the person, alone or with others, subjected or attempted to subject the victim of the murder to nonconsensual sexual penetration immediately before, during or immediately after the commission of the murder. Defines nonconsensual and sexual penetration.

ORDERS FOR PROTECTION: APPEAL FROM ORDERS ISSUED BY JUSTICE COURT

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

Allows victims of sexual assault to apply for and receive temporary or extended protection orders. If an extended order is issued by a justice court, an interlocutory appeal lies to the district court, which may affirm, modify or vacate the order in question. The appeal may be taken without bond, but its taking does not stay the effect or enforcement of the order.

ORDERS FOR PROTECTION: ARREST OF ALLEGED VIOLATOR

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

A temporary or extended order issued must provide notice that a person who is arrested for violating the order will not be admitted to bail sooner than 12 hours after the arrest if the arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm, the person has previously violated a temporary or extended order for protection; or at the time of the violation or within 2 hours after the violation, the person has a concentration of alcohol of 0.08 or more in his or her blood or breath; or an amount of a prohibited substance in his or her blood or urine that is equal to or greater than the amount set forth by law.

NRS 200.3783

ORDER TO BE TRANSMITTED TO LAW ENFORCEMENT AGENCIES; ENFORCEMENT

Each court that issues an order shall transmit, as soon as practicable, a copy of the order to all law enforcement agencies within its jurisdiction. The copy must include the date on which the order was personally served. A peace officer, without a warrant, may arrest and take into custody a person when the peace officer has probable cause to believe that an order has been issued, the person to be arrested has been served with a copy of the order; and the person to be arrested is acting in violation of the order. Any law enforcement agency in this State may enforce a court order.

ORDERS FOR PROTECTION: BAIL FOLLOWING VIOLATION, RESTRICTIONS

NRS 178.484

RIGHT TO BAIL BEFORE CONVICTION; EXCEPTIONS; IMPOSITION OF CONDITIONS; ARREST FOR VIOLATION OF CONDITION

A person arrested for a battery that constitutes domestic violence must not be admitted to bail sooner than 12 hours after arrest. Provides bail amounts if the person is admitted to bail more than 12 hours after arrest. A person arrested for violating a temporary or extended protection order for domestic violence, stalking or sexual assault must not be admitted to bail sooner than 12 hours after arrest if the arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm, the person has previously violated a temporary or extended order for protection of the type for which the person has been arrested; or at the time of the violation or within 2 hours after the violation, the person has a concentration of alcohol of 0.08 or more in the person's blood or breath; or an amount of a prohibited substance in the person's blood or urine that is equal to or greater than the amount set forth by law. Includes bail amounts. Allows the court to import reasonable restrictions on the adverse party. Includes what the court must have the adverse party sign at the time bail is issued.

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

A temporary or extended order issued must provide notice that a person who is arrested for violating the order will not be admitted to bail sooner than 12 hours after the arrest if the arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm, the person has previously violated a temporary or extended order for protection; or at the time of the violation or within 2 hours after the violation, the person has a concentration of

alcohol of 0.08 or more in his or her blood or breath; or an amount of a prohibited substance in his or her blood or urine that is equal to or greater than the amount set forth by law.

ORDERS FOR PROTECTION: CONTENTS OF ORDER

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

A protection order may require that the adverse party stay away from the home, school, business or place of employment of the victim of the alleged sexual assault and any other location specifically named by the court, refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged sexual assault and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged sexual assault. Comply with any other restriction which the court deems necessary to protect the victim of the alleged sexual assault or to protect any other person named in the order.

ORDERS FOR PROTECTION: COURT CLERK, DUTIES

NRS 200.3781

PETITIONER FOR ORDER: DEFERMENT OF COSTS AND FEES; FREE INFORMATION CONCERNING ORDER; NO FEE FOR SERVING ORDER

The clerk of the court shall provide a person who petitions the court for a temporary or extended order and the adverse party, free of cost, with information about the availability of temporary and extended orders, procedure for filing an application for such an order; and right to proceed without legal counsel.

NRS 200.3784

VICTIM TO BE GIVEN CERTAIN INFORMATION AND DOCUMENTS CONCERNING CASE; CLERK TO KEEP RECORD OF ORDER OR CONDITION RESTRICTING CONDUCT OF DEFENDANT

Prosecuting attorney shall inform alleged victim of the final disposition of the case. If the defendant is found guilty and the court issues an order or provides a condition of the sentence restricting the contact to the victim or witnesses, the clerk of the court shall keep a record of the order or condition of the sentence and a certified copy must be provided to the victim and other persons named in the order.

ORDERS FOR PROTECTION: COURT COSTS AND FEES, DEFERRAL, ASSESSMENT

NRS 200.3781

PETITIONER FOR ORDER: DEFERMENT OF COSTS AND FEES; FREE INFORMATION CONCERNING ORDER; NO FEE FOR SERVING ORDER

A person who obtains a protection order must not be charged any fee to have the order served in this State.

ORDERS FOR PROTECTION: ENFORCEMENT OF ORDERS

NRS 200.3783

ORDER TO BE TRANSMITTED TO LAW ENFORCEMENT AGENCIES; ENFORCEMENT

Each court that issues an order shall transmit a copy of the order to all law enforcement agencies within its jurisdiction. The copy must include a notation of the date on which the order was personally served upon the person to whom it is directed. A peace officer, without a warrant, may arrest and take into custody a person when the peace officer has probable cause to believe that an order has been issued to the person to be arrested, the person to be arrested has been served with a copy of the order; and the person to be arrested is acting in violation of the order. Any law enforcement agency in this State may enforce a court order.

ORDERS FOR PROTECTION: EXTENDED ORDER, TEMPORARY ORDERS MAY BE CONVERTED TO EXTENDED ORDERS

NRS 200.3782

DURATION OF ORDERS; DISSOLUTION OR MODIFICATION OF TEMPORARY ORDER

A temporary order issued expires in 30 days. If a petition for an extended order is filed within the period of a temporary order, the temporary order remains in effect until the hearing of the extended order is held. On 2 days' notice to the party who obtained the temporary order, the adverse party may appear and move its modifications. The court shall then hear and determine such motion as fast as practicable. An extended order is not to exceed 1 year.

ORDERS FOR PROTECTION: EXTENDED ORDERS, DURATION

NRS 200.3782

ORDERS FOR PROTECTION: EXTENDED ORDERS, DURATION OF ORDERS; DISSOLUTION OR MODIFICATION OF TEMPORARY ORDER

A temporary order issued cannot exceed 30 days, as the court fixes. If a petition for an extended order is filed within the period of a temporary order, the temporary order remains in effect until the hearing on the extended order is held. An extended order cannot exceed 1 year. The adverse party must give two days' notice to an applicant to move for an order to be dissolved or modified.

ORDERS FOR PROTECTION: EXTENDED ORDERS, INTERLOCUTORY APPEAL FROM ORDERS ISSUED BY JUSTICE COURT

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

Temporary orders may be granted with or without notice, but extended order can only be granted after notice for the order and hearing is served to adverse party and a hearing is held on the petition. If extended order is issued by a justice court, an interlocutory appeal lies to the district

court which may affirm, modify, or vacate the order in question. The appeal may be taken out without bond, but its taking does not stay the effect of enforcement of the order.

ORDERS FOR PROTECTION: EXTENDED ORDERS, ISSUANCE, REQUIREMENTS

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

Any person who believes they have been sexually assaulted may petition the courts for temporary or extended orders. When a defendant charged with a crime involving sexual assault is released from custody before trial or is found guilty at the trial, court may release temporary or extended orders or provide a condition of release. In both cases, temporary and extended orders may direct alleged sexual assaulter or defendant to: stay away from the home, school, business, place of employment or any other location specifically named by the court. To refrain from contacting, intimidating, threatening, or interfering with victim or any other person named by the court. And to comply with any other restriction which the court deems necessary to protect victim. States that any person who intentionally violated a temporary order is guilty of a gross misdemeanor, and any person who intentionally violates an extended order is guilty of a category C felony. Persons arrested for violating protection orders will not be admitted to bail sooner than 12 hours after arrest if, arresting officer deems violation of direct or indirect threat of harm, the arrested had previously violated protection order, had blood or breathe alcohol concentration of 0.08 or more, or had present amount of controlled substances in blood.

OSTEOPATHIC PHYSICIANS, GROUNDS FOR DISCIPLINARY ACTION

NRS 633.511

GROUNDS FOR INITIATING DISCIPLINARY ACTION

Lists all the grounds, provisions and actions that would cause disciplinary actions to be taken against the physician.

PENALTIES

NRS 200.366

SEXUAL ASSAULT: DEFINITION; PENALTIES; EXCLUSIONS

A person who commits a sexual assault is guilty of a category A felony and shall be punished. If there is substantial body harm to the victim as result of the sexual assault, the defendant may be imprisoned in the state prison for life without possibility of parole, or for life with the possibility of parole, beginning when the minimum 15 years has been served. If there is no substantial body harm to the victim, the defendant may be imprisoned in the state prison for life with the possibility of parole after the minimum 10 years has been served. A person who commits a sexual assault against a child under the age of 16 years is guilty of a category A felony and shall be punished. If there is substantial body harm to the child as result of the sexual assault, the defendants may be imprisoned by the state prison for life without possibility of parole, If there is

no substantial body harm to the child, the defendant may be imprisoned in the state prison for life with the possibility of parole after the minimum 25 years has been served. If the crime is committed against a child under 14 years and does not result in substantial body harm the child, imprisonment in the state prison for life with possibility of parole when the minimum 35 years has been served. A person who commits a sexual assault or any other sexual offense against a child under the age of 16 years who has previously been convicted of a sexual assault, or any other sexual offense against a child, or an offense committed in another jurisdiction is guilty of a class A felony and punished by imprisonment in the state prison for life without the possibility of parole.

PENALTIES FOR VIOLATION

NRS 193.166

ADDITIONAL PENALTY: FELONY COMMITTED IN VIOLATION OF ORDER FOR PROTECTION OR ORDER TO RESTRICT CONDUCT; RESTRICTION ON PROBATION

Lists crimes punishable by felony, includes but not limited to violations of temporary or extended order and orders for protection. Lists the criteria and information that is considered when determining the length of the additional penalty imposed. The court shall not grant probation to or suspend the sentence of any person convicted of attempted murder, battery with use of deadly weapon, battery which results in substantial bodily harm or battery which is committed by strangulation.

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

Unless a more severe penalty is prescribed by law for the violation of the order, any person who intentionally violates a temporary order is guilty of a gross misdemeanor. Any person who intentionally violates an extended order is guilty of a category C felony.

PERFUSIONISTS, GROUNDS FOR DISCIPLINE OR LICENSE DENIAL

NRS 630.301

CRIMINAL OFFENSES; DISCIPLINARY ACTION TAKEN BY OTHER JURISDICTION; SURRENDER OF PREVIOUS LICENSE WHILE UNDER INVESTIGATION; MALPRACTICE; ENGAGING IN SEXUAL ACTIVITY WITH PATIENT; DISRUPTIVE BEHAVIOR; VIOLATING OR EXPLOITING TRUST OF PATIENT FOR FINANCIAL OR PERSONAL GAIN; FAILURE TO OFFER APPROPRIATE CARE WITH INTENT TO POSITIVELY INFLUENCE FINANCIAL WELL-BEING; ENGAGING IN DISRESPECTFUL CONDUCT; ENGAGING IN SEXUAL CONDUCT WITH SURROGATE OF PATIENT OR RELATIVES OF PATIENT

List of conducts, convictions, malpractices, and disruptive behaviors that would result in disciplines and license denial, suspensions and refusals for Perfusionists.

PERSONNEL

NRS CH. 391

“Local educational agency” defined, “sexual misconduct” defined, “sexual offense” defined. A local educational agency cannot help an employee, contractor, or agent who works at a school to get a new job if that person has engaged in sexual misconduct regarding a minor or pupil. A local educational agency or a public school cannot enter into any agreement with a person convicted of a sexual offense involving a minor to keep the conviction or the circumstances surrounding the offense confidential. Any applicant for employment with a school district, charter school, or university school for profoundly gifted pupils who may have direct contact, a form containing an extensive inventory which the board of trustees will use. Here, the rules and guidelines for any investigations are outlined, and penalties are as well. (AB 362)

NRS 391.033

ISSUANCE OF LICENSES; FINGERPRINTING OF APPLICANTS; PROVISIONAL LICENSURE AUTHORIZED

This bill outlines the issuance of licenses by the Superintendent of Public Instruction. Every applicant must submit a complete set of fingerprints along with their application. The guidelines for approval and denial of licenses from the Superintendent are outlined. (AB 362)

NRS 391.750

GROUND FORS SUSPENSION, DEMOTION, DISMISSAL AND REFUSAL TO REEMPLOY TEACHERS AND ADMINISTRATORS; CONSIDERATION OF EVALUATIONS AND STANDARDS OF PERFORMANCE

A teacher or administrator could be suspended, demoted, dismissed and not reemployed due to inefficiency, immorality, unprofessional conduct, insubordination, neglect of duty, physical or mental incapacity, decreases in a number of positions, conviction of a felony or of a crime involving moral turpitude, inadequate performance, evident unfitness for service, failure to comply with reasonable requirements, failure to show normal improvement and evidence of professional training and growth, advocating overthrow of the government of the U.S. of the State of Nevada, or advocating or teaching of communism, any cause which constitutes grounds for the revocation of a teacher’s license, dishonesty, violation of several specific laws, gross misconduct, or intentional failure to report a violation of NRS 388.135 if the teacher or administrator witnessed the violation, breaching confidentiality or security of the questions and answers of exams. (AB 362)

NRS 391.755

DUTIES OF ADMINISTRATOR WHEN ADMONISHING EMPLOYEE IN CERTAIN CIRCUMSTANCES; REMOVAL OF ADMONITION FROM RECORDS; WHEN ADMONITION NOT REQUIRED; GROUND FORS IMMEDIATE ACTION WITHOUT ADMONITION

The guidelines for an administrator to admonish a licensed employee, removal of the admonition from the records of the employee, compliance with other laws and regulations around this topic. (AB 362)

PHYSICIANS AND ASSISTANTS, GROUNDS FOR DISCIPLINE OR LICENSE DENIAL

NRS 630.301

CRIMINAL OFFENSES; DISCIPLINARY ACTION TAKEN BY OTHER JURISDICTION; SURRENDER OF PREVIOUS LICENSE WHILE UNDER INVESTIGATION; MALPRACTICE; ENGAGING IN SEXUAL ACTIVITY WITH PATIENT; DISRUPTIVE BEHAVIOR; VIOLATING OR EXPLOITING TRUST OF PATIENT FOR FINANCIAL OR PERSONAL GAIN; FAILURE TO OFFER APPROPRIATE CARE WITH INTENT TO POSITIVELY INFLUENCE FINANCIAL WELL-BEING; ENGAGING IN DISRESPECTFUL CONDUCT; ENGAGING IN SEXUAL CONDUCT WITH SURROGATE OF PATIENT OR RELATIVES OF PATIENT

List of conducts, convictions, malpractices, and disruptive behaviors that would result in disciplines and license denial, suspensions and refusals for physicians and physician assistants.

PROBATION PROHIBITED

NRS 176A.100

AUTHORITY AND DISCRETION OF COURT TO SUSPEND SENTENCE AND GRANT PROBATION; PERSONS ELIGIBLE; FACTORS CONSIDERED; INTENSIVE SUPERVISION; SUBMISSION OF REPORT OF PRESENTENCE INVESTIGATION

Probation shall be prohibited and not granted and the sentence will have to be served in full if a person is found guilty upon verdict of plea of murder in the first or second degree, kidnapping in the first degree, sexual assault, attempted sexual assault of a child who is less than 16 years old, or lewdness with a child. Or if the person is found to be habitual criminal, or habitually fraudulent felon.

PROSECUTION: ADDRESS AND TELEPHONE NUMBER OF VICTIM, EXCLUSION AS EVIDENCE

NRS 48.071

EXCLUSION OF EVIDENCE OF ADDRESS AND TELEPHONE NUMBER OF VICTIM OF SEXUAL ASSAULT

In any prosecution for sexual assault, the district attorney may move to exclude evidence of the victim's address and telephone number. The court may order that such evidence to be excluded from the proceedings if the court finds the proof of evidence is outweighed by the creation of danger or harm to the victim.

PROSECUTION: ADMISSIBILITY OF STATEMENT OF CHILD DESCRIBING SEXUAL CONDUCT

NRS 51.385

ADMISSIBILITY; NOTICE OF UNAVAILABILITY OR INABILITY OF CHILD TO TESTIFY

A statement made by a child under the age of 10 describing any act of sexual conduct or physical abuse to the child may be admissible in the proceeding if, the court finds that the content and

circumstances of the statement provide sufficient circumstantial guarantees of trustworthiness and the child testifies at the processing or is unavailable or unable to testify. Defines and lists the criteria for determining the trustworthiness of a statement.

PROSECUTION: CHARACTER EVIDENCE OF VICTIM, ADMISSIBILITY RESTRICTED

NRS 48.069

PREVIOUS SEXUAL CONDUCT OF VICTIM OF SEXUAL ASSAULT: PROCEDURE FOR ADMISSION OF EVIDENCE TO PROVE VICTIM'S CONSENT

If the accused desires to present evidence of any previous sexual conduct of the victim in any prosecution for sexual assault, the accused must first submit to the court a written offer of proof, accompanied by a sworn statement of the specific facts that the accused expects to prove and pointing out the relevance of the facts to the issue of the victim's consent. If the court finds the offer to be sufficient, a hearing out of the presence of the jury will be held, where all questioning of the victim regarding the offer of proof will occur. At the end of the hearing, if the court finds that the offered evidence is relevant and is not required to be excluded, an order shall be made stating what evidence may be introduced by the accused and the nature of the questions that the accused is permitted to ask.

NRS 50.090

EVIDENCE OF PREVIOUS SEXUAL CONDUCT OF VICTIM OF SEXUAL ASSAULT OR STATUTORY SEXUAL SEDUCTION INADMISSIBLE TO CHALLENGE VICTIM'S CREDIBILITY; EXCEPTIONS

In any prosecution for sexual assault or statutory seduction, the accused may not present evidence of any previous sexual conduct of the victim as such to challenge the victim's credibility unless the prosecutor has presented evidence or the victim has testified concerning such conduct. In which case the scope of the cross-examination or rebuttal must be limited to the evidence presented by either the prosecutor or the victim.

PROSECUTION: EXPERT TESTIMONY CONCERNING CERTAIN BEHAVIOR, ADMISSIBILITY

NRS 50.345

EXPERT TESTIMONY TO SHOW VICTIM'S BEHAVIOR OR CONDITION IS CONSISTENT WITH BEHAVIOR OR CONDITION OF VICTIM OF SEXUAL ASSAULT

In any prosecution for sexual assault, expert testimony is not inadmissible to show that the victim's behavior or mental or physical condition is consistent with the behavior or condition of a victim of sexual assault.

NRS 50.350

EXPERT TESTIMONY WHICH CONCERNS BEHAVIOR OF DEFENDANT IN PREPARING CHILD OR VULNERABLE PERSON FOR SEXUAL ABUSE

In any criminal or juvenile delinquency action, expert testimony offered which concerns the behavior of a defendant in preparing a child under the age of 18 or a vulnerable person for sexual

abuse by the defendant is admissible for any relevant purpose. Expert testimony may concern the effect on the victim from the defendant creating a physical or emotional relationship with the victim before the sexual abuse and any behavior of the defendant that was not intended to reduce the resistance of the victim or reduce the likelihood that the victim would report the sexual abuse.

PROSECUTION: JURY INSTRUCTIONS, USE OF CERTAIN TERMS AND INSTRUCTIONS PROHIBITED

NRS 175.186

INSTRUCTIONS IN PROSECUTION FOR SEXUAL ASSAULT OR STATUTORY SEXUAL SEDUCTION: USE OF CERTAIN TERMS AND INSTRUCTIONS PROHIBITED

In any prosecution for sexual assault or statutory sexual seduction, the term “unchaste character” may not be used with reference to the alleged victim in any instruction to the jury. The court may not give any instructions to the jury to the effect that it is difficult to prove or establish the crime beyond a reasonable doubt.

PROSECUTION: MARRIAGE TO VICTIM NO DEFENSE

NRS 200.373

SEXUAL ASSAULT OF SPOUSE BY SPOUSE

There is not defense to the charge of sexual assault if the perpetrator was, at the time of the assault, married to victim, if the assault was committed by force or by the threat of force.

PROTECTION OF CHILDREN FROM ABUSE AND NEGLECT

NRS CH. 432B

When provisions don't apply to reports submitted, investigations performed or information maintained. (SB 287) Termination of parental rights; if a child is in need of protection, an agency which provides child welfare services may file a motion for the termination of parental rights; documents needed for court; guidelines for proceedings/hearings; mediation; testifying; final written decision on a motion for the termination of parental rights must be rendered no later than 30 days after conclusion; appeals; jurisdiction of juvenile courts. (SB 432)

NRS 432B.200

TOLL-FREE TELEPHONE NUMBER FOR REPORTS OF ABUSE OR NEGLECT

The Division of Child and Family Services will establish and maintain a center with a toll-free telephone number to receive reports of abuse or neglect; guidelines for this center; abuse and neglect are defined. (SB 287)

NRS 432B.220

PERSONS REQUIRED TO MAKE REPORT; WHEN AND TO WHOM REPORTS ARE REQUIRED; ANY PERSON MAY MAKE REPORT; REPORT AND WRITTEN FINDINGS IF REASONABLE CAUSE TO BELIEVE DEATH OF CHILD CAUSED BY ABUSE OR NEGLECT; CERTAIN PERSONS AND ENTITIES REQUIRED TO INFORM REPORTERS OF DUTY TO REPORT

Requirements and guidelines for mandated reporting, who and what situations require mandating reporting. (AB 362)

PUBLIC RECORDS

NRS 239.010

PUBLIC BOOKS AND PUBLIC RECORDS OPEN TO INSPECTION; CONFIDENTIAL INFORMATION IN PUBLIC BOOKS AND RECORDS; COPYRIGHTED BOOKS AND RECORDS; COPIES TO BE PREPARED BY GOVERNMENTAL ENTITY AND PROVIDED IN MEDIUM REQUESTED

Unless otherwise provided, all public books and public records of a governmental entity must be open during office hours to inspection by any person, and may be fully copied; a governmental entity may not reject a book or record solely because it is copyrighted. (SB 287)

NRS 239.010

PUBLIC BOOKS AND PUBLIC RECORDS OPEN TO INSPECTION; CONFIDENTIAL INFORMATION IN PUBLIC BOOKS AND RECORDS; COPYRIGHTED BOOKS AND RECORDS; COPIES TO BE PREPARED BY GOVERNMENTAL ENTITY AND PROVIDED IN MEDIUM REQUESTED

Unless otherwise provided, all public books and public records of a governmental entity must be open during office hours to inspection by any person, and may be fully copied; a governmental entity may not reject a book or record solely because it is copyrighted. (SB 287) May not deny a request made; can request a copy of a public record in any medium that is available; cannot refuse to provide copy; cannot require the person who has requested the copy to prepare it themselves. (SB 432)

RACKETEERING, CRIME RELATED TO

NRS 207.360

“CRIMES RELATED TO RACKETEERING” DEFINED

Lists of crimes that are related to racketeering. “Crimes related to racketeering” means the commission of, attempt to commit or conspiracy to commit any of the crimes on the list, including sexual assault and statutory sexual seduction.

REGISTRATION OF SEX OFFENDERS AND OFFENDERS CONVICTED OF A CRIME AGAINST A CHILD

NRS 179D.035

“CONVICTED” DEFINED

Who the term “convicted” applies to, and who it doesn’t. (AB 395)

NRS 179D.0559

“OFFENDER CONVICTED OF A CRIME AGAINST A CHILD” AND “OFFENDER” DEFINED

“Offender convicted of a crime against a child” or “offender” means a person who is or has been convicted of a crime against a child that is listed in NRS 179D.0357. The term also includes an offender who is a student or worker within this state but who is not otherwise deemed a resident offender. (AB 395)

NRS 179D.095

“SEX OFFENDER” DEFINED

“Sex offender” refers to a person who is or has been convicted of a sexual offense listed in NRS 179D.097. The term also includes a sex offender who is a student or worker within this state but who is not otherwise deemed a resident offender. (AB 395)

NRS 179D.450

REGISTRATION AFTER CONVICTION; DUTIES AND PROCEDURE; OFFENDER OR SEX OFFENDER INFORMED OF DUTY TO REGISTER; EFFECT OF FAILURE TO INFORM; DUTIES AND PROCEDURE UPON RECEIPT OF NOTIFICATION FROM ANOTHER JURISDICTION OR FEDERAL BUREAU OF INVESTIGATION

When the Central Repository receives notice from a court that an offender has been convicted of a crime against a child, that a sex offender has been convicted of a sexual offense or that a juvenile has been adjudicated delinquent for an offense for which the juvenile is subject to registration and community notification, they must notify the local law enforcement agent so that a record of registration may be established (if not already). If the offender or sex offender named in the notice is granted probation, the central repository will provide notification to the appropriate local law enforcement agencies and provide community notification. Guidelines for what needs to happen before an offender or sex offender is incarcerated or confined and has previously been convicted of a crime against a child or a sexual offense, before the offender or sex offender is released. The duty of the offender or sex offender is not affected by the failure to provide said offender with the information or confirmation form required. Guidelines for what the Central Repository is to do if they receive notice from another jurisdiction or the Federal Bureau of Investigation that an offender or sex offender is now residing or is a student or worker within this State. (AB 395)

NRS 179D.490

DURATION OF DUTY TO REGISTER; TERMINATION OF DUTY; PROCEDURE; EXCEPTIONS

An offender convicted of a crime against a child or a sex offender will comply with the provisions of registration as long as they reside or are present in the state. Outlines of the full period of registration and reducing the period of registration being awarded if the offender complies with the provisions of registration are given. If the offender satisfies those requirements, the court will hold a hearing and make a decision. (AB 395)

REPORTING OF CERTAIN OFFENSES AGAINST CHILDREN

NRS 202.888

PERSONS EXEMPT FROM DUTY TO REPORT

Lists who the provisions of NRS 202.882 (duty to report violent or sexual offense against child 12 years of age or younger; penalty for failure to report; contents of reports) do not apply to. (SB 287)

RESPIRATORY CARE PRACTITIONERS, GROUNDS FOR DISCIPLINE OR LICENSE DENIAL

NRS 630.301

CRIMINAL OFFENSES; DISCIPLINARY ACTION TAKEN BY OTHER JURISDICTION; SURRENDER OF PREVIOUS LICENSE WHILE UNDER INVESTIGATION; MALPRACTICE; ENGAGING IN SEXUAL ACTIVITY WITH PATIENT; DISRUPTIVE BEHAVIOR; VIOLATING OR EXPLOITING TRUST OF PATIENT FOR FINANCIAL OR PERSONAL GAIN; FAILURE TO OFFER APPROPRIATE CARE WITH INTENT TO POSITIVELY INFLUENCE FINANCIAL WELL-BEING; ENGAGING IN DISREPUTABLE CONDUCT; ENGAGING IN SEXUAL CONDUCT WITH SURROGATE OF PATIENT OR RELATIVES OF PATIENT

List of conducts, convictions, malpractices, and disruptive behaviors that would result in disciplines and license denial, suspensions and refusals for respiratory care practitioners.

SCHOOL PERSONNEL, GROUNDS FOR SUSPENSION OR REVOCATION OF LICENSE

NRS 391.330

GROUNDS FOR SUSPENSION OF REVOCATION OF LICENSE

List of reasons for which The State Board may suspend or revoke the license of any teacher, administrator or other licensed employee, after notice and an opportunity for a hearing have been provided.

SERVICE OF ORDER

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR; DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

Any court ordered issued pursuant must be in writing, be personally served on the person to whom it is directed and must contain the warning that violation of the order subjects the person to immediate arrest, in a gross misdemeanor if the order is temporary order, and is a category C felony if the order is an extended order.

NRS 200.3781

PETITIONER FOR ORDER: DEFERMENT OF COSTS AND FEES; FREE INFORMATION CONCERNING ORDER; NO FEE FOR SERVING ORDER

A person who obtains a protective order must not be charged any fee to have to the order served in this state.

SEXUAL ABUSE OF A CHILD INCLUDES SEXUAL ASSAULT

NRS 422B.100

“SEXUAL ABUSE” DEFINED

“Sexual abuse” includes acts upon a child constituting incest, lewdness, sado-masochistic abuse, sexual assault, statutory sexual seduction, open or gross lewdness, and mutilation of the genitalia of a female child.

SEXUAL ASSAULT AND SEDUCTION

NRS 200.364

DEFINITIONS

Defines “forensic laboratory”, “forensic medical examination”, “genetic marker analysis”, “offense involving a pupil”, “perpetrator”, “sex trafficking”, “sexual assault forensic evidence kit”, “sexual offense”, “sexual penetration”, “statutory sexual seduction”, “victim”, “victim of sexual assault” (AB 97). Definitions are also referenced in SB 169. (SB 169)

SPOUSE, ASSAULT AGAINST

NRS 200.373

SEXUAL ASSAULT OF SPOUSE BY SPOUSE

There is no defense to a charge of sexual assault that the perpetrator was, at the time of the assault, married to the victim, if the assault was committed by force or by threat of force. Statewide central registry for the collection of information concerning the abuse or neglect of a child.

NRS 432.100

ESTABLISHMENT, MAINTENANCE AND CONTENTS; RELEASE OF INFORMATION UNDER CERTAIN CIRCUMSTANCES; ACCESS TO INFORMATION

Establishes a Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child which is maintained by the Division; guidelines for the Central registry; rules for the Division to release information contained in the Central Registry to an employer; restriction of access of information in the Central Registry. (SB 287)

NRS 432.110

MAINTENANCE OF RECORDS CONCERNING REQUEST OR RECEIPT OF INFORMATION

Establishes what the division will keep record of and what they are not required to maintain a record for. (SB 287)

NRS 432.120

RELEASE OF INFORMATION; DELETION OF INFORMATION; REGULATIONS

Guidelines for the release of information from the Central Registry; guidelines for deletion of information; adopting regulations. (SB 287)

NRS 432.130

UNLAWFUL RELEASE OF DATA OR INFORMATION; PENALTY

Any person who willfully releases data or information from the Central Registry to unauthorized people is guilty of a misdemeanor. (SB 287)

STATUTE OF LIMITATIONS

NRS 171.083

NO LIMITATION FOR SEXUAL ASSAULT OR SEX TRAFFICKING IF WRITTEN REPORT FILED WITH LAW ENFORCEMENT OFFICER DURING PERIOD OF LIMITATION; EFFECT OF DISABILITY ON PERIOD OF LIMITATION

If at any time during the period of limitation, a victim of sexual assault, sex trafficking, or a person authorized to act on behalf of a victim files a written report with a law enforcement officer concerning the sexual assault or sex trafficking, the period of limitation is removed and there is no limitation in which a prosecution for the sexual assault or sex trafficking must begin. If the victim of sexual assault or sex trafficking is under disability during any part of the period of limitation, and a written report of the sexual assault or sex trafficking is not otherwise filed, the period during which the victim is under disability must be excluded from any calculation of the period of limitation.

NRS 171.085

LIMITATIONS FOR FELONIES

A formal charge or accusation for sexual assault must be found, or an information or complaint filed, within 20 years after the offense is committed.

NRS 171.095

LIMITATIONS FOR OFFENSES COMMITTED IN SECRET MANNER, OFFENSES CONSTITUTING SEXUAL ABUSE OR SEX TRAFFICKING OF CHILD AND OFFENSES REGARDING PERSONAL IDENTIFYING INFORMATION

If a felony, gross misdemeanor or misdemeanor is committed in a secret manner, an indictment for the offense must be found or complaint filed within the period of limitations. A formal charge must be found, or complaint filed for any offense constituting sexual abuse or sex trafficking of a child before the victim is 36 years old if the victim discovers he or she was a victim of sexual abuse or sex trafficking by the date on which the victim reaches 36, or 43 years of age if the victim does not discover that he or she was a victim of sexual abuse or sex trafficking by the day the victim reaches 36 years. If a felony is committed against a victim who is less than 18 years of age at the time of the offense, an indictment for the offense must be found, or a complaint filed within 4 years after the victim discovers the offense.

STATUTORY SEXUAL SEDUCTION: ATTENDANT TO PROVIDE SUPPORT FOR WITNESS DURING TESTIMONY

NRS 178.571

APPLICABILITY TO CERTAIN CASES; PERSONS PERMITTED TO BE ATTENDANT; PERMISSIBLE CONDUCT BY ATTENDANT; EXCLUSION FOR GOOD CAUSE

In a case involving domestic violence, battery with intent to commit a sexual assault, abuse, incest, open or gross lewdness or lewdness with a child, a witness may designate an attendant who must be allowed to attend the preliminary hearing and the trial during the witness's testimony to provide support. In a case where a minor is a witness, the witness may designate an attendant who must be allowed to attend the preliminary hearing and the trial during the witness's testimony. The attendant may be designated by a party as a witness in which case the attendant must be examined and cross-examined before any other witness testifies. The attendant must not be a reporter or editorial employee or an employee of any television or radio station, unless they are the parent, child, brother or sister of the witness.

STATUTORY SEXUAL SEDUCTION: DEFINITION

NRS 200.364

DEFINITIONS

"Statutory sexual seduction" means ordinary sexual intercourse, anal intercourse or sexual penetration committed by a person 18 years of age or older with a person who is 14 or 15 years of age and who is at least 4 years younger than the perpetrator.

STATUTORY SEXUAL SEDUCTION: PENALTY

NRS 200.368

STATUTORY SEXUAL SEDUCTION: PENALTIES

If a person is 21 years of age or older at the time of commission of the offense, that person shall be punished for a category B felony by imprisonment in the state prison for minimum term of 1 year and maximum term of 10 years, and can be further punished of a fine not more than \$10,000. A person who commits statutory sexual seduction and is under the age of 21 shall be punished for a gross misdemeanor. If the person who commits statutory sexual seduction is under 21 but has previously been convicted of sexual offense will be punished for a category D felony.

STATUTORY SEXUAL SEDUCTION: SEXUAL ABUSE OF A CHILD, SEDUCTION DEFINED AS

NRS 432B.100

"SEXUAL ABUSE" DEFINED

Sexual abuse is defined as incest, lewdness with a child, sado-masochistic abuse, sexual assault, statutory sexual seduction, open or gross lewdness, and mutilation of the genitalia of a female child.

SUBSTANTIAL BODILY HARM: DEFINITION

NRS 0.060

"SUBSTANTIAL BODILY HARM" DEFINED.

"Substantial bodily harm" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ, or prolonged physical pain.

SUBSTANTIAL BODILY HARM: PENALTY FOR CAUSING

NRS 200.366

SEXUAL ASSAULT: DEFINITION; PENALTIES; EXCLUSIONS

If substantial bodily harm is caused to the victim from the sexual assault, the defendant shall be punished by imprisonment in the state prison for life without the possibility of parole, or for life with the possibility of parole, with eligibility for parole beginning when a minimum of 15 years has been served. If sexual assault is committed against a child under the age of 16 and results in substantial bodily harm to the child, the defendant will be charged with a felony and will be punished by imprisonment in the state prison for life without possibility of parole.

SUSPENSION OF SENTENCE AND GRANT OF PROBATION PROHIBITED

NRS 176A.100

AUTHORITY AND DISCRETION OF COURT TO SUSPEND SENTENCE AND GRANT PROBATION; PERSONS ELIGIBLE; FACTORS CONSIDERED; INTENSIVE SUPERVISION; SUBMISSION OF REPORT OF PRESENTENCE INVESTIGATION

If a person is found guilty in a district court upon verdict or plea of, sexual assault, attempted sexual assault of a child who is less than 16 years of age, or lewdness with a child, the court shall not suspend the execution of the sentence imposed or grant probation to the person.

TEAR GAS USED IN COMMISSION OF CRIME, PROBATION OR SUSPENSION OF SENTENCE PROHIBITED

NRS193.165

ADDITIONAL PENALTY: USE OF DEADLY WEAPON OR TEAR GAS IS COMMISSION OF CRIME; RESTRICTION ON PROBATION

Any person who uses a firearm/deadly weapon, or emits tear gas in the commission of a crime, shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished by the state prison for a minimum term of 1 year and a maximum term of 20 years. The court shall not grant probation or suspend sentence of any person who is convicted of using a firearm/deadly weapon or tear gas in the commission of sexual assault.

TEMPORARY ORDERS: CONVERSION TO EXTENDED ORDER

NRS 200.3782

DURATION OF ORDERS; DISSOLUTION OR MODIFICATION OF TEMPORARY ORDER

If a petition for an extended order filed within the period of a temporary order, the temporary order remains in effect until the hearing on the extended order is held. A temporary order may be converted by the court once the adverse party has been given notice and hearing is held.

TEMPORARY ORDERS: DISSOLUTION OR MODIFICATION

NRS 200.3782

DURATION OF ORDERS; DISSOLUTION OR MODIFICATION OF TEMPORARY ORDER

On a two days' notice to the party who obtained the temporary order, the adverse party may appear and move its dissolution or modification. In that even, the court shall proceed to hear and determine such motion as fast as practicable.

TEMPORARY ORDERS: DURATION

NRS 2000.3782

DURATION OF ORDERS; DISSOLUTION OR MODIFICATION OF TEMPORARY ORDER

A temporary order issued expires within such a time, not to exceed 30 days. An extended order expires within such a time, not to exceed one year.

TEMPORARY ORDERS: ISSUANCE, REQUIREMENTS

NRS 200.378

COURT MAY IMPOSE TEMPORARY OR EXTENDED ORDER TO RESTRICT CONDUCT OF ALLEGED PERPETRATOR, DEFENDANT OR CONVICTED PERSON; PENALTY FOR VIOLATION OF ORDER; DISSEMINATION OF ORDER; NOTICE PROVIDED IN ORDER

Any person who reasonably believes they have been sexually assaulted, may petition the courts for a temporary or extended order. If a defendant charged with a crime involving sexual assault is released from custody before trial or is found guilty at the trial the court may release temporary or extended orders or provide a condition of release. Temporary and extended orders and conditions of release can direct alleged person/defendant to stay away from the home, school, business, place of employment, and any other location specifically named by the court. To refrain from contacting, intimidating, threatening, or interfering with victim or any other persons named by the court. And to comply with any other restrictions which the court deems necessary to protect the victim and any other persons named by the court.

TERMINATION OF PARENTAL RIGHTS

NRS 128.050

ENTITLEMENT OF PROCEEDINGS; CONTENTS OF VERIFIED PETITION

Outlines the proceedings and its title. A petition has to be verified, this could be with information or belief. If the petitioner doesn't know of any of the facts required in subsection 2, they must report that. If the petitioner is the mother of an unborn child, the petition must give the fathers information. If the petitioner or the child receive public assistance, it must be stated in the petition. (AB 228)

NRS 128.060

NOTICE OF HEARING; CONTENTS; PERSONAL SERVICE TO CERTAIN PERSONS; PETITIONER TO MAIL NOTICE TO DEPARTMENT OF HEALTH AND HUMAN SERVICES IF PETITIONER OR CHILD IS RECEIVING PUBLIC ASSISTANCE

Guidelines for the clerk to issue a notice, who is required to be served a notice, if the petitioner

or the child receive public assistance, the petitioner must mail a copy of the notice and a copy of the petition to the Chief of the Child Support Enforcement Program of the Division of Welfare and Supportive services of the Department of Health and Human Services at least 45 days before the hearing. (AB 228)

NRS 128.070

SERVICE OF NOTICE OF HEARING BY PUBLICATION

Guidelines for the notice of hearing when the father or mother of a minor child or the child's legal custodian or guardian cannot be found. After due diligence has been established, the notice must be published in a newspaper for 4 weeks, establishing rules for publication. (AB 228)

NRS 128.080

FORM OF NOTICE

Provides an outline for the draft of a notice. (AB 228)

NRS 128.085

PETITION BY MOTHER OF UNBORN CHILD

When the mother of an unborn child files for termination of the father's parental rights, the father will be served a notice. The hearing can happen any time after the birth of the child and the father has been served a notice. (AB 228)

NRS 128.090

HEARING TIME; PROCEDURE; EVIDENCE; POSTPONEMENT; CLOSED COURT

The court will proceed to hear the petition at the times stated in the notice or at the earliest time thereafter to which the hearing can be postponed. Outlined are the rules for the proceedings and evidence that is admissible. If the hearing is postponed, all people who did not attend court will be served a notice of the postponement. If there is a hearing of this nature, the court hearing will be held in closed court. This also means that these hearings are confidential. This also leads to restrictions on opening files and records of the court proceedings. (AB 228)

NRS 128.105

GROUND FOR TERMINATING PARENTAL RIGHTS: CONSIDERATIONS; REQUIRED FINDINGS

The main consideration of a proceeding to terminate a parents rights is if the best interests of the child will be satisfied by said termination. Here is the list of required findings for terminating a parents rights. (AB 228)

TRANSMITTAL TO LAW ENFORCEMENT AGENCIES

NRS 200.3783

ORDER TO BE TRANSMITTED TO LAW ENFORCEMENT AGENCIES; ENFORCEMENT

Every court that issues an order shall transmit, as soon as practicable, a copy of the order to all law enforcement agencies within its jurisdiction. The copy must include a notation of the date on which the order was personally served upon the person to whom it is directed. Any law enforcement agency in this State may enforce a court order issued pursuant.

VETERANS SUFFERING SEXUAL TRAUMA, PLANS AND PROGRAMS TO ASSIST, FUNDING

NRS 417.090

DIRECTOR AND DEPUTY DIRECTOR: DUTIES

The Director and Deputy Director shall assist veterans in preparing, submitting and presenting any claim against the United States, or any state, for adjusted compensation, hospitalization insurance, pension, disability compensation, vocational training, education or rehabilitation and assist them in obtaining any aid or benefits which they may be entitled to under laws from the United States or any of the states and give aid, assistance, and counsel to each and every problem affecting any veteran.

NRS 417.119

ACCOUNT TO ASSIST VETERANS WHO HAVE SUFFERED SEXUAL TRAUMA

The director of the account may apply for any available grants, accept gifts, grants and donations and any other source of money for deposit. Money deposited in the account, or any interest or income earned on such money must be used to only assist veterans who have suffered sexual trauma while on active duty or during military training.

VICTIM, RECEIPT OF CERTIFIED COPY

NRS 2000.3784

VICTIM TO BE GIVEN CERTAIN INFORMATION AND DOCUMENTS CONCERNING CASE; CLERK TO KEEP RECORD OF ORDER OR CONDITION RESTRICTING CONDUCT OF DEFENDANT

The clerk of the court shall provide a certified copy of the order or condition of the sentence to the victim and other persons named in the order.

VICTIMS: ALLOCATION OF CERTAIN GRANT MONEY TO ORGANIZATIONS PROVIDING SERVICES

NRS 217.410

ALLOCATION OF MONEY TO ORGANIZATIONS SPECIFICALLY CREATED TO ASSIST VICTIMS OF SEXUAL ASSAULT

In a county whose population is 700,000 or more, 15 percent of all money granted to organizations from the Account for Aid for Victims of Domestic Violence shall be allocated to an organization that has been specifically created to assist victims of sexual assault. To be eligible for

this money, the organization must receive 15 percent of its money from sources other than Federal, State or local government.

VICTIMS: COMPENSATION ORDERS, CONSIDERATIONS

NRS 217.180

ORDERS FOR COMPENSATION: CONSIDERATIONS

If the case involves a victim of domestic violence, sexual assault or sex trafficking, the compensation officer will not consider the provocation, consent or any other behavior of the victim that directly or indirectly contributed to the injury or death of the victim. An order for compensation may be made whether or not a person is prosecuted or convicted. If the applicant has received or is likely to receive an amount because of injuries or death of another from the insurance, employer of victim, or the person who committed the crime, the applicant shall report the amounts to the compensation officer. The compensation officer shall then deduct the amounts that the applicant has received or is likely to receive from the total expenses.

VICTIMS: COUNSELING AND MEDICAL TREATMENT, PAYMENT COSTS

NRS 217.260

FUND FOR COMPENSATION OF VICTIMS OF CRIME

Payment for compensation and payment of salaries and other expenses incurred by the Department of Administration must be paid from the Fund for Compensation of Victims of Crime. When money is dispersed from the account, it is required that claims be categorized by priority, and that claims categorized as the highest priority be paid before other claims.

NRS 217.290

COUNTY TO PROVIDE FOR COUNSELING AND MEDICAL TREATMENT OF VICTIMS

The board of county commissioners for each county shall provide for the counseling and medical treatment of victim's sexual assault.

VICTIMS: DEFINITION

NRS 217.280

"VICTIMS OF SEXUAL ASSAULT" DEFINED

"Victim of sexual assault" means a person who has been sexually assaulted or a person whom a sexual assault has been attempted.

VICTIMS: DISPOSITION OF CASE, RECEIPT OF NOTICE

NRS 200.3784

VICTIM TO BE GIVEN CERTAIN INFORMATION AND DOCUMENTS CONCERNING CASE; CLERK TO KEEP RECORD OF ORDER OR CONDITION RESTRICTING CONDUCT OF DEFENDANT

The prosecuting attorney in any trial shall inform the alleged victim of the final disposition of the case. If the defendant is found guilty or the court issues an order or provides a condition of sentence restricting contact with the victim or witnesses, the clerk of the court shall keep a record of the order or condition of sentence and will provide a certified copy to the victim or any other person named in the order.

VICTIMS: FICTITIOUS ADDRESSES, JURY DUTY, EXEMPTION

NRS 6.020

EXEMPTIONS FROM SERVICE

Upon proof made by affidavit or otherwise, the following people are exempt from service as grand or trial jurors: When Legislature is in session, any member of the Legislature or any employee of the Legislature or the Legislative Counsel Bureau. Any person who has a fictitious address. Any police officer. All persons of the age 70 or over are exempt from serving. And a person who is age 65 years or over who lives 65 miles or more from the court is exempt from serving.

VICTIMS: FICTITIOUS ADDRESSES, PROGRAM FOR

NRS 217.462

FICTITIOUS ADDRESS FOR VICTIM OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, SEXUAL ASSAULT OR STALKING: ELIGIBILITY; APPLICATION TO ATTORNEY GENERAL; PENALTY FOR PROVIDING FALSE INFORMATION

An adult person, parent or guardian of a child, or a guardian acting on behalf of an incompetent person may apply to the Attorney General to have a fictitious address designated. Lists all the requirements that must be included on the application for a fictitious address. The Attorney General shall approve or disapprove an application within 5 business days. The application will be approved if it is accompanied by specific evidence, such as records of conviction, a temporary restraining order or protective orders showing the applicant has been a victim of domestic violence, human trafficking, sexual assault or stalking. It is unlawful to attest falsely or provide incorrect information on this from, a person who violates this is guilty of a misdemeanor.

NRS 217.464

FICTITIOUS ADDRESS FROM VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING: DESIGNATION OF FICTITIOUS ADDRESS; FORWARDING OF MAIL; DISCLOSURE OF CONFIDENTIAL ADDRESS BY ATTORNEY GENERAL; NOTIFICATION OF SCHOOL THAT PUPIL, PARENT OR LEGAL GUARDIAN IS PARTICIPANT

If the application for a fictitious address is approved, the Attorney General shall designate a fictitious address for the participant and forward mail that they receive for the participant to the participant. The Attorney general shall not make any records contacting the name, confidential address or fictitious address of the participant's available for inspection or copying unless the address is requested by a law enforcement agency, or is ordered to do so by lawful order of a court of competent jurisdiction. If a person is attending or wants to attend a public school that is located outside of their zone or their designated school district, the Attorney General shall upon request of the public school, inform the public school of whether the person or legal guardian of the person is a participant in the fictitious address. No other information concerning the person or their legal guardian will be given to the public school.

NRS 217.466

FICTITIOUS ADDRESS FOR VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING: FORM FOR PARTICIPANT TO REGISTER TO VOTE OR CHANGE ADDRESS OF REGISTRATION

If a participant tells the Attorney General that they wish to register to vote or change the address of their current registration, the Attorney General shall give the participant the form to do so.

NRS 217.468

FICTITIOUS ADDRESS FOR VICTIM OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, SEXUAL ASSAULT OR STALKING: CANCELLATION

The Attorney General shall cancel the fictitious address of a participant after 4 years, unless the participant shows to the satisfaction of the Attorney General that the participant remains in imminent danger of becoming a victim of domestic violence, human trafficking, sexual assault or stalking. The Attorney General may cancel the fictitious address at any time if the participant changes his or her confidential address and fails to notify the Attorney General within 48 hours, the Attorney General determines that false or incorrect information was knowingly provided on the application, or if the participant files a declaration or acceptance of candidacy.

NRS 217.471

FICTITIOUS ADDRESS FROM VICTIM OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING: ADOPTION OF PROCEDURES BY ATTORNEY GENERAL

The Attorney General shall adopt procedures to carry out the application process for fictitious addresses.

VICTIMS: FICTITIOUS ADDRESSES, PUPILS AUTHORIZED TO ATTEND SCHOOL OUTSIDE ZONE OR DISTRICT

NRS 388.040

ZONING OF SCHOOL DISTRICT BY BOARD OF TRUSTEES; ESTABLISHMENT OF ZONES DOES NOT PRECLUDE PUPIL'S ATTENDANCE AT CERTAIN OTHER PUBLIC SCHOOLS

The establishment of school zones does not prevent a pupil from attending a public school outside of their establish zone if that pupil or the parent or legal guardian of that pupil with whom they reside has been issued a fictitious address.

NRS 392.016

ADMISSION OF PUPIL WITH LAWFULLY ISSUED FICTITIOUS ADDRESS

If a pupil, or the legal guardian or parents with whom the pupil resides has been issued a factious address, the pupil may attend a public school that is located in a school district other than one which they reside. If the pupil does decide to attend a public school in another school district, the pupil must be included in the count of pupils of the school district for the purpose of allowed and appointments from the state, and it is not required for transportation to be provided.

VICTIMS: FORENSIC MEDICAL EXAMINATION, PAYMENT OF COSTS

NRS 217.300

PAYMENT OF COST OF INITIAL MEDICAL CARE OF VICTIM; PAYMENT OF COSTS INCURRED BY HOSPITAL FOR FORENSIC MEDICAL EXAMINATION OF VICTIM

The county whose jurisdiction the sexual assault was committed in shall pay any costs for medical care for any physical injuries resulting from the sexual assault which is provided 72 hours after the victim first arrives for treatment, and will pay any costs incurred by a hospital for the forensic medical examination of the victim. Any costs incurred must not be charged directly to the victim but must be charged to the county where the offense was committed. Filing a report with law enforcement must not be a prerequisite to qualify for forensic medical examination and the costs for said medical examination must not be included in the costs for medical treatment.

VICTIMS: IDENTIFYING INFORMATION CONFIDENTIAL, ACTION FOR UNLAWFUL DISCLOSURE, WAIVER OF CONFIDENTIALITY

NRS 41.1398

ACTION FOR DAMAGES FOR UNLAWFUL DISCLOSURE OF CERTAIN CONFIDENTIAL INFORMATION RELATING TO VICTIM OF SEXUAL ASSAULT

Any person who has suffered injury as the direct result of a violation of keeping victim records and personal information confidential may bring an action for the recovery of person's actual damage and other damages that the facts may warrant.

NRS 200.377

VICTIMS OF CERTAIN SEXUAL OFFENSES: LEGISLATIVE FINDINGS AND DECLARATIONS

The legislature finds and declares that the fear of public identification and invasion of privacy are fundamental concerns for the victims of sexual offenses, which may cause victims to refrain from reporting and prosecuting. A victim of sexual offense may be harassed, intimidated and psychologically harmed by a public report that identifies the victim. The purpose of the following laws is to protect the victims of sexual offenses and their privacy.

NRS 200.3771

VICTIMS OF CERTAIN SEXUAL OFFENSES: CONFIDENTIALITY OF RECORDS AND REPORTS THAT REVEAL IDENTIFY; WHEN DISCLOSURE PERMITTED; PENALTY

Any information contained in court records, intelligence or investigative data, records of criminal history, records in the Central Repository for Nevada Records of Criminal History that reveals the identity (photograph, likeness, name, address or telephone number) is confidential. Defendant charged with sexual offense, and defendant's attorney are entitled to all identifying information concerning the victim in order to prepare for defense, but must not disclose any information except as necessary. However; a court may authorize the release of identifying information, if the court determines that the person making the application has demonstrated that good cause exists for disclosure, the disclosure will not place the victim at risk of personal harm and reasonable

notice of the application and an opportunity to be heard have been given to the victim. Nothing in this section prohibits any publication or broadcast by the media concerning a sexual offense, or the disclosure of identifying information of victims to any nonprofit or public agency whose purpose is to provide counseling, or other assistance to the victims of crime.

NRS 200.3772

VICTIMS OF CERTAIN SEXUAL OFFENSES: PROCEDURE FOR SUBSTITUTING PSEUDONYM FOR NAME ON FILES, RECORDS AND REPORTS; ACTUAL IDENTITY CONFIDENTIAL; WHEN DISCLOSURE REQUIRED; IMMUNITY FOR UNINTENTIONAL DISCLOSURE

A victim of a sexual offense may choose a pseudonym to be used instead of their name on all files, records and documents. If a victim chooses to use a pseudonym, they shall file a form with the law enforcement agency investigating the sexual offense. As soon as practicable the agency shall make good faith effort to substitute the pseudonym for the name of the victim on all reports, files and records and notify the prosecuting attorney. Once notified, the court shall ensure that the victim is designated by the pseudonym in all legal proceedings. The information on the form to choose a pseudonym is confidential and must not be disclosed to any person other than the defendant and the defendant's attorney unless the court determines otherwise. The court may order the disclosure of the information on the form if it finds the information essential to the trial of the defendant.

NRS 200.3773

VICTIMS OF CERTAIN SEXUAL OFFENSES: PUBLIC OFFICER OR EMPLOYEE PROHIBITED FROM DISCLOSING IDENTITY; EXCEPTIONS; PENALTY

A public officer or employee who has access to records, files or other documents that include identifying information of the victim shall not intentionally or knowingly disclose the identifying information to any person other than, the defendant or defendant's attorney, a person directly involved in the investigation, a person specifically named in a court order, or a nonprofit organization or public agency.

NRS 200.3774

VICTIMS OF CERTAIN SEXUAL OFFENSES: EFFECT OF WAIVER OF CONFIDENTIALITY

The provisions of protecting the victim's identity and confidentially do not apply if the victim voluntarily waives, in writing, the confidentially of the information.

NRS 392.271

CONFIDENTIALITY OF NAME OF VICTIM; IMMUNITY FROM LIABILITY IF NAME RELEASED UNDER CERTAIN CIRCUMSTANCES

A superintendent of a school district who received notification, shall not release the name of the offender or the victim to anyone unless required by law or order of the court. A person who obtains the name of the offender or victim in accordance to law or an order of court shall not release the name of the victim to another person unless required by law or order of the court. If a superintendent obtains name of the offender or victim and in good faith releases or fails to release the names, they are immune from criminal or civil liability, unless they acted with gross negligence.

VICTIMS: INITIAL MEDICAL CARE, PAYMENT OF COSTS

NRS 217.300

PAYMENT OF COST OF INITIAL MEDICAL CARE OF VICTIM; PAYMENT OF COSTS INCURRED BY HOSPITAL FOR FORENSIC MEDICAL EXAMINATION OF VICTIM

The county whose jurisdiction the sexual assault offense was committed in shall pay for the initial medical care for any physical injuries which is provided to the victim no later than 72 hours after the victim arrives for treatment.

VICTIMS: INVESTIGATION, POLYGRAPHIC EXAMINATION OF VICTIM RESTRICTED

NRS 171.1228

INVESTIGATION OF ALLEGED SEXUAL OFFENSE: ALLEGED VICTIM NOT REQUIRED TO SUBMIT TO POLYGRAPHIC EXAMINATION OR OTHER SIMILAR EXAMINATION

A law enforcement officer, prosecutor or any other employee of a government entity will not request or require a victim of the alleged sexual offense to take or submit to a polygraphic examination or other similar examination that is used for the purpose of rendering a diagnostic opinion regarding the honesty or dishonesty of a person.

VICTIMS: JURY INSTRUCTIONS, PROHIBITED TERMS

NRS 175.186

INSTRUCTIONS IN PROSECUTION FOR SEXUAL ASSAULT OR STATUTORY SEXUAL SEDUCTION: USE OF CERTAIN TERMS AND INSTRUCTIONS PROHIBITED

In any prosecution for sexual assault or statutory sexual seduction, the term “unchaste character” may not be used with reference to the alleged victim of the crime in any instruction to the jury.

VICTIMS: MEDICAL AND PSYCHOLOGICAL TREATMENT

NRS 217.310

APPLICATION FOR MEDICAL AND PSYCHOLOGICAL TREATMENT OF VICTIM AND SPOUSE; COMPANIONSHIP DURING COUNSELING; PREREQUISITE TO APPROVAL; CERTAIN COSTS OF TREATMENT FOR VICTIM OF SEXUAL ASSAULT OR OTHER ELIGIBLE PERSON TO BE CHARGED TO COUNTY

If any victim of sexual assault requires medical treatment for physical injuries, or if any victim or spouse of such victim suffers emotional trauma, upon submitting an affidavit, may apply, to the board of county commissioners in the county where the sexual assault occurred, for treatment at county expense. The board shall approve an application for treatment after receiving an affidavit declaring that the applicant is a victim of sexual assault or a spouse of such victim, the sexual assault occurred in the county, and the victim requires medical treatment for physical injuries, or the victim or spouse suffered emotional trauma. A victim who has suffered emotional trauma may select a relative or close friend to receive counseling with them if the counselor agrees it would be beneficial. If the application for treatment is approved, counseling for the relative must also be approved. A victim must file a report with law enforcement or submit to forensic medical

examination to be eligible for treatment. If costs are incurred, the costs of treatment are not to exceed \$1,000.

NRS 217.320

AVAILABILITY OF MEDICAL AND PSYCHOLOGICAL TREATMENT; LIMITATION OF COST

Upon approval by the board of county commissioners, medical treatment or psychological, psychiatric and marital counseling treatment must be made available at a county hospital or other facility with which the board may contact for the purpose of providing such treatment. Any costs for treatment not exceeding \$1,000, shall be paid by the county which authorized the treatment.

NRS 217.330

CERTIFICATION BY PERSON PROVIDING COUNSELING OR PSYCHOLOGICAL TREATMENT REQUIRED

The board of county commissioners shall require the psychologist, psychiatrist or counselor treating a victim of sexual assault or their spouse to certify from time to time that the counseling relates to the sexual assault and that the victim or spouse still suffers from emotional trauma caused by the sexual assault. If the person providing the treatment fails to make the certification upon request of the board, the board may order the treatment terminated.

NRS 217.340

LIMITATION ON TIME FOR TREATMENT

No order for treatment may be made by the board of county commissioners unless the application for treatment is made within 60 days after the date of the sexual assault or the sexual assault was reported to police within 3 days after its occurrence. If the offense could not possibly have been reported within that period, 3 days after the time when a report could reasonably have been made.

VICTIMS: MINOR VICTIMS, ADMISSIBILITY OF STATEMENT OF CHILD DESCRIBING SEXUAL CONDUCT

NRS 51.385

ADMISSIBILITY; NOTICE OF UNAVAILABILITY OR INABILITY OF CHILD TO TESTIFY

A statement made by a child under the age of 10 years describing any act of sexual assault performed with or on the child, or any act of physical abuse, is admissible in the criminal proceeding if the court finds, in hearing without the jury, that the time, content, and circumstances of the statement provide sufficient guarantees of trustworthiness and if the child testifies at the proceeding or is unavailable or unable to testify. Lists all considerations a court will take into account when determining if a statement is trustworthy or not.

VICTIMS: MINOR VICTIMS, JUVENILE COURTS, SUPERVISION AND CONSENT DECREES, AUTHORITY

NRS 62C.240

COURT REFERRAL FOR COURT SUPERVISION PURSUANT TO SUPERVISION AND CONSENT DECREE OF CHILD ALLEGED TO HAVE ENGAGED IN PROSTITUTION OR SOLICITATION OF PROSTITUTION; VIOLATION OF SUPERVISION AND CONSENT DECREE OR ORDER; DISMISSAL OF PETITION

If the district attorney files a petition with the juvenile court alleging that a child who is less than 18 years of age has engaged in prostitution or solicitation of prostitution, the juvenile court will place the child under the supervision of the court to a supervision and consent decree, without a formal adjudication of delinquency and order that the terms and conditions of the supervision and consent decree include services to address the sexual exploitation of the child and other needs of the child including any counseling and medical treatments for victims of sexual assault. If the child originated in other jurisdiction outside this State, the child may be returned to the jurisdiction which the child originated. If a child is placed under a supervision and consent decree, the juvenile court may issue any order including, without limitations any placement of the child that the court finds to be in the child's best interest. If a child is to violate the provisions of supervision and consent decree the district attorney must not file a petition alleging that the child has violated the decree or order and the allegation must be placed before the court to a motion or a request for judicial review. If a child is placed under supervision of the juvenile court to a supervision and consent decree, the court shall dismiss the petition upon successful completion of the terms and conditions, or at the time the child reached 18 years of age. A child who has reached 18 years of age may consent to remain under the supervision for the purpose of receiving services provided.

VICTIMS: MINOR VICTIMS, REPORTING REQUIREMENTS, PENALTY AND EXEMPTIONS

NRS 202.870

DEFINITIONS

Unless the context otherwise requires, the words defined in NRS 202.873 and 202.876 have the meanings ascribed to them in those sections.

NRS 202.873

“LAW ENFORCEMENT AGENCY” DEFINED

“Law enforcement agency” means The Office of the Attorney General or the office of a district attorney within this State and any attorney, investigator, special investigator or employee who is acting in his or her profession or occupational capacity for such an office or any other law enforcement agency within this State and any peace officer or employee who is acting in his or her professional or occupational capacity for such an agency.

NRS 202.876

“VIOLENT OR SEXUAL OFFENSE” DEFINED

“Violent or sexual offense” means any act that, if prosecuted in this State, would constitute any of the following offenses: murder or voluntary manslaughter mayhem, kidnapping, sexual assault, robbery, administering poison or another noxious or destructive substance or liquid with intent to cause death, battery with intent to commit a crime, administering a drug or controlled substance to another person with the intent to enable or assist the commission of a felony, false imprisonment, assault with a deadly weapon, battery which is committed with the use of a deadly

weapon, an offense involving pornography and a minor, intentional transmission of the human immunodeficiency virus, open or gross lewdness, lewdness with a child, and offense involving pandering or sex trafficking or prostitution, coercion, or an attempt, conspiracy, or solicitation to commit any of these offenses.

NRS 202.879

“REASONABLE CAUSE TO BELIEVE” AND “AS SOON AS REASONABLY PRACTICABLE” DEFINED; AUTHORIZED MANNER OF MAKING REPORT AND COMMUNICATING INFORMATION

Defines “reasonable cause to believe” and “as soon as reasonably possible”. Defines the ways in which someone can report.

NRS 202.882

DUTY TO REPORT VIOLENT OR SEXUAL OFFENSE AGAINST CHILD 12 YEARS OF AGE OR YOUNGER; PENALTY FOR FAILURE TO REPORT; CONTENTS OF REPORT

Any person who has reasonable cause to believe that another person has committed a violent or sexual offense against a child who is 12 years of age or younger shall report the commission to a law enforcement agency, and make a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause. A person who knowingly and willfully violated these provisions is guilty of a misdemeanor. A report made must include, if known the name of the child and the name of the person who committed the offense, the location where it happened and the facts and circumstances which support the person’s belief that a violent or sexual offense was committed.

NRS 202.885

LIMITATION ON PROSECUTION OR CONVICTION FOR FAILURE TO REPORT

A person may not be prosecuted or convicted unless a court in this State or any other jurisdiction has entered a judgment of conviction against a culpable actor for the violent or sexual offense against the child or any other offense arising out of the same facts as the violent or sexual offense of a child. For any violation of not reporting a violent or sexual offense against a child 12 years of age or younger, an indictment must be found or an information or complaint must be filed within 1 year after the date on which a court in this State or any other jurisdiction has entered a judgement of conviction against a culpable actor or the violation is discovered. For this section a ‘culpable actor’ is a person who causes or perpetrated an unlawful act, aids, abets, commands, counsels, encourages, hired induces, procures or solicits another person to cause or perpetrate an unlawful act or is a principle in any degree, accessory before or after the fact, accomplice or conspirator to an unlawful act.

NRS 202.888

PERSONS EXEMPT FROM DUTY TO REPORT

The following people are exempt from duty to report any act of violence or sexual offense against a child, any person less than 16 years of age, any person who is by blood or marriage the spouse, brother, sister, parent or grandparent, child or grandchild of the child who is the victim or the person who committed the crime. Any person who suffers from a mental or physical impairment or disability that would make it impracticable to person to report. Any person who knows or has

reasonable cause to believe that reporting would put the child, any person related to them or who resides in the same household in imminent danger, any person who became aware of the crime through a communication that is protected by a privilege, or any person who is acting in his or her professional or occupational capacity and is required to report abuse or neglect of a child.

NRS 202.891

IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY; PRESUMPTION THAT REPORT WAS MADE IN GOOD FAITH

If a person who is required to make a report, makes such a report in good faith, the person is immune from civil or criminal liability for any act of omission related to that report but is not immune from civil or criminal liability for any other act or omission committed by person as a part of, connection with or as a principle, accessory to the violent or sexual offense against the child regardless of the nature of the other act or omission. If a person is not required to make a report, and the person makes such a report to a law enforcement agency in good faith, the person is immune from civil or criminal liability for any act of omission related to that report but is not immune from civil or criminal liability for any other act or omission committed by person as a part of, connection with or as a principle, accessory to the violent or sexual offense against the child regardless of the nature of the other act or omission.

NRS 202.894

REPORT OF ABUSE OR NEGLECT OF CHILD MADE PURSUANT TO NRS 432B.220

If a person reports to a law enforcement agency that another person has committed a violent or sexual offense against a child and offense would constitute abuse or neglect of a child, the report made shall be deemed to be a report of abuse or neglect and the appropriate agencies will act up the report and the report may be used in the manner as other reports that are made.

VICTIMS: MINOR VICTIMS, SEXUAL ABUSE OF A CHILD INCLUDES SEXUAL ASSAULT

NRS432B.100

"SEXUAL ABUSE" DEFINED

Sexual abuse includes acts upon a child constituting incest, lewdness with a child, sado-masochistic abuse, sexual assault, statutory sexual seduction, open or gross lewdness, mutilation (including aiding, abetting, encouraging or participating in) the mutilation of genitalia of a female child.

VICTIMS: NOTICE OF RELEASE OF DEFENDANT AND DISPOSITION OF CASE

NRS 178.5698

INFORMATION CONCERNING RELEASE OF DEFENDANT AND DISPOSITION OF CASE PROVIDED UPON REQUEST; COURT TO INFORM AND PROVIDE DOCUMENTATION TO CERTAIN PERSONS OF THEIR RIGHT TO BE INFORMED OF RELEASE OF OFFENDER FROM PRISON IN CERTAIN CASES; WHEN AND WHOM WARDEN MUST INFORM OF RELEASE OF OFFENDER FROM PRISON

The prosecuting attorney, sheriff or chief of police, upon request of a victim inform them when the defendant is released from custody at any time before or during the trial, if the defendant is released, the amount of bail required and of the final disposition of the criminal case in which the victim or witness was directly involved. The request for information must be made in writing, by telephone, or computerized program (if available). If the offender is convicted of sexual assault the court shall provide documentation to each witness and or the persons named by the court (list of people who can be named by court included in law) that includes a form advising the witness of the right to be notified, the form that the witness must use to request notification in writing, and the form or procedure that the witness must use to provide a change of address after a request for notification has been submitted. The warden of the prison shall inform the victim, witnesses, and other people named by the court, as long as form is filled out with address, before the release of the offender who was charged with a felony. The warden must not be held responsible for any injury proximately caused by the failure to give notice, if no address, inaccurate address, or not current address was provided on the form.

VICTIMS: REPORT FILED WITH LAW ENFORCEMENT AGENCY, RECEIPT OF COPY

NRS 171.083

NO LIMITATION FOR SEXUAL ASSAULT OR SEX TRAFFICKING IF WRITTEN REPORT FILED WITH LAW ENFORCEMENT OFFICER DURING PERIOD OF LIMITATION; EFFECT OF DISABILITY ON PERIOD OF LIMITATION

If a victim of sexual assault, sex trafficking, or someone authorized to act on their behalf files a written report with a law enforcement officer, the law enforcement officer shall provide a copy of the written report to the victim or the authorized person.

VICTIMS: SEXUALLY TRANSMITTED DISEASES, RESULTS OF TESTS ON PERPETRATOR PROVIDED TO VICTIM

NRS 441A.320

TESTING OF PERSON ALLEGED TO HAVE COMMITTED SEXUAL OFFENSE; DISCLOSURE OF RESULTS OF TEST; ASSISTANCE TO VICTIM; PAYMENT OF EXPENSES

If the alleged victim or witness to a crime alleges that crime involved the sexual penetration of the victim's body, the health authority shall perform a test on the alleged person who committed the crime after as soon as practicable after the arrest, but not later than 48 hours after the person is charged with the crime for exposure to human immunodeficiency virus and any commonly contracted sexually transmitted diseases. If the healthy authority is required to perform the test, the agency that has custody of the arrested person shall obtain the specimen and submit it to the health authority for testing. In addition, follow-up tests from the human immunodeficiency virus may performed as deemed medically appropriate. As soon as available, the health authority will disclose the results of all tests performed to the victim and the arrested person, if either are children they will disclose the test results to the parents or legal guardians. If tests performed determine that the victim may have been exposed to the human immunodeficiency virus or any other commonly contracted sexually transmitted disease, the healthy authority, at the request of the victim, may provide him or her with an examination for exposure to human immunodeficiency virus and other sexually transmitted diseases. If the victim has been exposed, the health authority may also provide the victim with counseling and a referral for health care and other assistance. If

the court in a criminal proceeding determines that a person has committed a crime, or a proceeding conducted determines a child has committed an act which would constitute as a crime involving the sexual penetration of victim's body, the court shall, order that child or other person to pay any expenses incurred with regard to that child, person and the victim.

VICTIMS: VICTIM'S ADVOCATE, PRIVILEGED COMMUNITIES

NRS 49.2541

DEFINITIONS

Domestic violence, sexual assault, victim and victim's advocate all have specific meanings ascribes to them.

NRS 49.2542

"DOMESTIC VIOLENCE" DEFINED

"Domestic violence" means an act describes in NRS 33.018 which states any act of battery, assault, a sexual assault, a knowing, purposeful or reckless course of conduct intended to harass the other person, a false imprisonment and an unlawful entry of the other person's residence, or forcible entry against the other person's will if there is a reasonable foreseeable risk of harm against or upon the spouse or former spouse, any other person to whom the person related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has or is having a dating relationship, any other person with whom the person has child in common, the minor child of any of those persons, the persons minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child.

NRS 49.2543

"SEXUAL ASSAULT" DEFINED

"Sexual assault" means a violation or an attempt to violate or conspiracy to violate NRS 200.366 which defines sexual assault as an act when a person subjects another person to sexual penetration, or forces another person to make sexual penetration on himself or herself or another or on a beast against the will of the victim or under conditions in which a perpetrator knows or should know that the victim is mentally and physical incapable of resisting or understanding the nature of their conduct or a person commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 to make a sexual penetration on himself or herself or on a beast.

NRS 49.2544

"VICTIM" DEFINED

"Victim" means a person who alleges that an act of domestic violence or sexual assault has been committed against them.

NRS 49.49.2545

"VITIM'S ADVOCATE" DEFINES

“Victim’s advocate” means a person who works for a nonprofit program that makes provides assistance to victims with or without compensation and who has received at least 20 hours of relevant training.

NRS 49.2546

WHEN COMMUNICATION DEEMED TO BE CONFIDENTIAL; “COMMUNICATION” DEFINES

A communication is deemed confidential if the communication is between a victim and victim’s advocate and is not intended to be disclosed to third persons other than a person who is present to further the interest of the victim, a person necessary for the transmission of the communication or a person who is participating in the advice, counseling or assistance of the victim, such as a member of the victim’s family. Communication includes, but not limited to, all records concerning the victim and the services provided to the victim which are within the possession of the victim’s advocate or the nonprofit program which the victim’s advocate works for.

NRS 49.2547

GENERAL RULE OF PRIVILEGE

A victim who seeks advice, counseling or assistance from a victim’s advocate has privilege to refuse to disclose, and prevent any other person from disclosing confidential communications.

NRS 49.2548

WHO MAY CLAIM PRIVILEGE

The privilege may be claimed by the victim, the guardian or conservator of the victim, the person representative of a deceased victim, the nonprofit victim’s advocate, but only on behalf of the victim. If an advocate is not employed by a nonprofit organization, not privilege may be claimed.

NRS 49.2549

EXCEPTIONS

There is no privilege if the purpose of the victim seeking services from a victim’s advocate is to enable or aid any person to commit or plan to commit what the victim knows or reasonable should have known is a crime or fraud, the communication concerns a report of abuse or neglect of a child, older person or vulnerable person, the communication is relevant to an issue of breach of duty by the victim’s advocate to the victim or by the victim to the victim’s advocate, or if the disclosure of the communication is otherwise required by law.

VULNERABLE PERSONS, ADDITIONAL PENALTY FOR CRIME AGAINST

NRS 193.167

ADDITIONAL PENALTY: CERTAIN CRIMES COMMITTED AGAINST PERSON 60 YEARS OF AGE OR OLDER OR AGAINST VULNERABLE PERSON

Any person who commits a crime or a criminal violation against any person who is 60 years of age or older or against a vulnerable person, will in addition to the term of imprisonment prescribes by statute for the criminal violation or crime, be punished if misdemeanor or gross misdemeanor, by imprisonment in the county jail for a term equal to the term of prescribes by the statue, and if a

felony, by imprisonment in the state prison for a minimum of not less than 1 year and maximum term of not more than 20 years. Lists the information the court shall consider when determining the length of additional penalty imposed. The sentence prescribed must run consecutively with sentence prescribes by statute for the crime or criminal violation. This does not create a separate offense, but instead provides additional penalty for the primary offense.

WITNESSES: ATTENDANT TO PROVIDE SUPPORT FOR WITNESS DURING TESTIMONY

NRS 178.571

APPLICABILITY TO CERTAIN CASES; PERSON PERMITTED TO BE ATTENDANT; PERMISSIBLE CONDUCT ATTENDANT; EXCLUSION FOR GOOD CAUSE

In a case involving domestic or sexual assault, a witness, a minor witness, may designate an attendant who must be allowed to attend the preliminary hearing and trial during the witness's testimony to provide support. The attendant must not be a reporter or editorial employee of any newspaper, periodical, press association or an employee of any radio or television stations unless they are the parent, child, brother or sister of the witness. In which case the family member is allowed to serve as the attendant to the witness. If the witness requests, the court will allow the attendant to sit next to the witness while the witness is testifying, and if the witness requests that the attendant sit in another location in the courtroom while they testify, the court may allow it. The court shall allow the attendant to have physical contact with the witness while testifying if the court determines that it is appropriate or necessary to provide support. If the attendant tries to influence or affect the testimony at any manner while the witness is testifying, the court shall excuse that attendant, but will allow the witness to designate another attendant. A party can move to exclude a particular attendant for good cause, if the court grants the motion, the witness may designate another attendant.

WITNESSES: NOTICE OF RELEASE OF DEFENDANT AND DISPOSITION OF CASE

NRS 178.5698

INFORMATION CONCERNING RELEASE OF DEFENDANT AND DISPOSITION OF CASE PROVIDED UPON REQUEST; COURT TO INFORM AND PROVIDE DOCUMENTATION TO CERTAIN PERSONS OF THEIR RIGHT TO BE INFORMED OF RELEASE OF OFFENDER FROM PRISON IN CERTAIN CASES; WHEN AND WHOM WARDEN MUST INFORM OF RELEASE OF OFFENDER FROM PRISON

The prosecuting attorney, sheriff or chief of police, upon request of a victim or witness, shall inform the witness or victim when the defendant is released from custody at any time before or during the trial, if the defendant is released, the amount of bail required and of the final disposition of the criminal case in which the victim or witness was directly involved. The request for information must be made in writing, by telephone, or computerized program (if available). If the offender is convicted of sexual assault the court shall provide documentation to each witness and or the persons named by the court (list of people who can be named by court included in law) that includes a form advising the witness of the right to be notified, the form that the witness must use to request notification in writing, and the form or procedure that the witness must use to provide a change of address after a request for notification has been submitted. The warden of the prison shall inform the victim, witnesses, and other people named by the court, as long as form is

filled out with address, before the release of the offender who was charged with a felony. The warden must not be held responsible for any injury proximately caused by the failure to give notice, if not address, inaccurate address, or not current address was provided on the form.

WITNESSES: PSYCHOLOGICAL OR PSYCHIATRIC EXAMINATION OF WITNESS, EXCLUSION OF CERTAIN TESTIMONY

NRS 50.700

COURT MAY NOT ORDER VICTIM OR WITNESS TO TAKE OR SUBMIT TO PSYCHOLOGICAL OR PSYCHIATRIC EXAMINATION; EXCLUSION OF TESTIMONY OF LICENSED PSYCHOLOGIST, PSYCHIATRIST OR CLINICAL SOCIAL WORKER

In any criminal or juvenile delinquency action relating to the commission of sexual assault, a court cannot order a victim or a witness to take or submit to a psychological or psychiatric examination. The court may exclude the testimony of a licensed psychologist, psychiatrist or clinical social worker who performed an examination if, there is an initial compelling need for additional examination, or the victim or witness refuses to submit to an additional examination. When determining if there needs to be another examination of the victim or witness, the court must consider whether there is any reasonable basis for believing that the mental or emotional state of the victim or witness has affected his or her ability to perceive and relate events relevant to criminal prosecution and any corroboration of the offense exists beyond the testimony. If the court determines that further examination is needed, the court shall issue a factual finding that details the reasons why an additional psychological or psychiatric examination is warranted. If the victim or witness consents to an additional psychological or psychiatric exam, the court shall set the parameters for the examination consistent with the purpose of determining the ability of the victim or witness to perceive events relevant to the criminal prosecution.

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